

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

[Spartanburg, South Carolina]

HEARING # 09-11075

NOVEMBER 24, 2009

6:00 P.M.

DOCKET NO. 2009-226-E:

DUKE ENERGY CAROLINAS, LLC - Application for Authority to Adjust
and Increase Electric Rates and Charges

TRANSCRIPT OF TESTIMONY
AND PROCEEDINGS

VOLUME 3

HEARING BEFORE: John E. "Butch" HOWARD, *VICE CHAIRMAN*; and
COMMISSIONERS David A. WRIGHT, G. O'Neal HAMILTON, Swain E.
WHITFIELD, and Randy MITCHELL.

ADVISOR TO COMMISSION: B. Randall Dong, Esq.

STAFF: Jocelyn G. Boyd, Deputy Clerk; Phil Riley, Doug Pratt, and
William O. Richardson, Advisory Staff; Patty Sands, Executive
Staff; and Jo Elizabeth M. Wheat, CVR-CM-GNSC, Court Reporter.

APPEARANCES:

**CATHERINE E. HEIGEL, ESQUIRE, and FRANK R.
ELLERBE III, ESQUIRE,** representing DUKE ENERGY
CAROLINAS, LLC, APPLICANT

SHEALY BOLAND REIBOLD, ESQUIRE, representing THE
OFFICE OF REGULATORY STAFF

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

I N D E X

	PAGE
<u>TESTIMONY of GEORGE ACKER</u>	157
<u>TESTIMONY of ORLANDO BLACK</u>	161
<u>TESTIMONY of HUGH C. McMILLAN</u>	163
<u>TESTIMONY of MICHAEL BRADY</u>	166
<u>TESTIMONY of KATHRYN HILTON</u>	170
<u>TESTIMONY of TIM SPENCER</u>	173
Cross Examination by Ms. Reibold.....	176
Examination by Commissioner Whitfield.....	176
<u>TESTIMONY of THOMAS TINSLEY</u>	177
Examination by Commissioner Wright.....	180
<u>TESTIMONY of MARIA BRADY</u>	181
<u>TESTIMONY of GENE PITTS</u>	184
<u>TESTIMONY of MARY BETH GREEN</u>	187
<u>TESTIMONY of JIM ELSTON</u>	191
<u>TESTIMONY of DAVID CORDEAU</u>	194
<u>TESTIMONY of MARK KOENIG</u>	196
Examination by Commissioner Mitchell.....	199
<u>TESTIMONY of SYLVIA MEANS</u>	200
<u>TESTIMONY of CHRISTINA JEFFREY</u>	201
<u>TESTIMONY of ROBERT M. SELLARS</u>	204
<u>TESTIMONY of SPENCER WILKINS</u>	207
<u>TESTIMONY of CHRIS BECKMAN</u>	211
<u>TESTIMONY of JIM COOK</u>	214
<u>TESTIMONY of DAVID TATE</u>	217

	PAGE
<u>TESTIMONY of BRADLEY CARTER</u>	220
<u>TESTIMONY of PARA JONES, Ph.D.</u>	224
<u>TESTIMONY of LAWRENCE BATEMAN</u>	227
<u>TESTIMONY of DALE HINES</u>	234
<u>TESTIMONY of CHARLES E. LANDEN</u>	239
<u>TESTIMONY of T.S. MILLER</u>	240
<u>TESTIMONY of ANGELA STEIN</u>	245
<u>TESTIMONY of DIANE ELDERS</u>	249
<u>TESTIMONY of DICK McCLELLION</u>	252
<u>TESTIMONY of WILLIAM SHAW</u>	256
<u>TESTIMONY of BILL JACKSON</u>	259
<u>TESTIMONY of DAVID THOMPSON</u>	260
<u>TESTIMONY of BRENT MARTIN</u>	263
<u>TESTIMONY of PAMELA FISHER</u>	266
<u>REPORTER'S CERTIFICATE</u>	270

P R O C E E D I N G S

VICE CHAIRMAN HOWARD: Good evening. I want to take this opportunity to welcome all of you and thank all of you for coming. This is a night hearing for Duke Energy Carolinas in a rate case. My name is Butch Howard, and I'm Vice Chairman of the South Carolina Public Service Commission. I am substituting tonight for our Chairman, who is Lib Fleming. Her husband recently passed away.

I'd like to introduce my other Commissioners. On my far right is Swain Whitfield, Randy Mitchell. Far left is O'Neal Hamilton, and David Wright.

At this time I'm going to turn it over to our attorney, Randall Dong, to read the docket.

MR. DONG: This is the application of Duke Energy Carolinas, LLC, for authority to adjust and increase electric rates, charges, and tariffs. A public hearing on this matter has been scheduled to begin at 6 p.m., Tuesday, November 24, 2009, before the Public Service Commission at the Spartanburg County Administration Building. The docket is in order.

VICE CHAIRMAN HOWARD: At this time I'll ask for appearances of attorneys. Who represents ORS?

MS. REIBOLD: Good evening, Mr. Chairman and

1 Commissioners. I'm Shealy Reibold for ORS. With
2 me is Courtney Edwards. Also from ORS tonight,
3 from our Consumer Services Division, we have Brad
4 Kirby, and from our Electric Department, we have
5 Michael Seaman-Huynh and Michael Carter.

6 **VICE CHAIRMAN HOWARD:** Thank you. And Duke
7 Energy Carolinas?

8 **MS. HEIGEL:** Good evening, Mr. Chairman.
9 Catherine Heigel here, on behalf of Duke Energy
10 Carolinas. With me is Mr. Frank Ellerbe. We also
11 have a number of folks from Duke Energy here this
12 evening: Ms. Barbara Yarbrough, with our customer
13 relations is here to answer questions and address
14 concerns that may be raised this evening. Mr.
15 Brett Carter is here, and he's president of Duke
16 Energy Carolinas' regulated utility. And this
17 evening we have George Acker with us, who is
18 director of the southern region, and we would like
19 to request permission for Mr. Acker to make some
20 brief opening remarks to the Commission once the
21 procedural discussion is finished.

22 **VICE CHAIRMAN HOWARD:** At this time I'm going
23 to turn it back over to Attorney Dong, to state our
24 ground rules.

25 **MR. DONG:** Before I get started, I'd like to

1 take a moment to introduce the rest of the
2 Commission staff. A bunch of us came up from
3 Columbia today. We have with us Deputy Clerk
4 Jocelyn Boyd, and Advisors Phil Riley, Doug Pratt,
5 Bill Richardson, and Patty Sands. And you've met
6 several of those folks, I'm sure, when you came in.

7 Now, I think I'd like to also ask -- since I'm
8 hearing the Nextel phone going off -- if you all
9 have cell phones with audible alarms, if you would
10 please either put them on silent or turn them off.
11 I think in previous meetings we've had a problem
12 with some phones disrupting the meeting, and I
13 think that would be good for everyone.

14 Now, tonight what we are here to do is to take
15 testimony from each of you who have decided to come
16 here and if you want to share with us testimony
17 about your experience with Duke or your opinions
18 about the rate case. You will be sworn, just as if
19 you were in court, and so anything that you say,
20 it's just as if you were to come to the merits
21 hearing in Columbia and speak.

22 This case is going to be heard beginning on
23 Monday, November 3rd, at 10:30, at the Commission's
24 offices in Columbia, and your coming here is -- we
25 came here to give you an opportunity to speak to us

1 and to put your comments into the record, without
2 necessitating you coming to Columbia. That said,
3 if you choose to speak here, we would ask that you
4 -- well, except under really exceptional
5 circumstances you wouldn't be permitted to also
6 testify in Columbia.

7 Everything you say is going to be put into the
8 court record by our court reporter, Ms. Wheat, down
9 there at the end of the table. So if you would,
10 when you come up, be sure and speak into the
11 microphone as clearly as you can, so that she can
12 get everything transcribed verbatim and have an
13 accurate record.

14 Anyone who chooses to come and testify will be
15 subject to questions and possible objections by the
16 parties, and to questions from the Commission. So
17 please, when you come up, if you would wait for
18 everybody to have an opportunity to ask questions,
19 if, in fact, they have questions. And when you
20 come up, we would ask that the first thing you do
21 when you come up, so that we have a good record, is
22 to give your name, your address, and please tell us
23 whether or not you are a Duke customer.

24 We're going to hear from a lot of folks today,
25 and it's very possible that you may hear testimony

1 before you, that you agree with, and somebody else
2 may say the same thing that you wanted to say. If
3 that's the case, if you want to adopt what has
4 previously been said by another witness, please
5 feel free to do that. That would help move things
6 along.

7 And let me make sure I have covered everything
8 here. I believe that is all I have.

9 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas,
10 I think you have an opening statement?

11 **MS. HEIGEL:** That's correct, if we could have
12 Mr. Acker approach the podium, that would be great.

13 **MR. RICHARDSON:** Mr. Acker has been previously
14 sworn.

15 THEREUPON came,

16 **G E O R G E A C K E R ,**
17 who, having been previously duly sworn/affirmed, testified
18 further as follows:

19 **VICE CHAIRMAN HOWARD:** Go ahead.

20 **WITNESS:** I was sworn in last night, so good
21 to see you again. I know you're excited to see me,
22 as well.

23 Thanks for coming up to Spartanburg. My name
24 is George Acker. I live at 124 Oaks Court,
25 Pickens, South Carolina, and I have an office here

1 in Spartanburg at 920 Beaumont Ave.

2 I've been with the company for 29 years; 26 of
3 those years have been in the Upstate. I've worked
4 in Cherokee to Newberry to Union to Spartanburg,
5 Greenville, Oconee, Pickens, Anderson, Abbeville.
6 And on behalf of the rest of us at the company who
7 work at Duke, it's an honor for me to be up here
8 and I'd like to welcome you all to Spartanburg.

9 In addition, I look forward to hearing some of
10 the comments that we're going to hear from our
11 customers and neighbors and other community folks
12 here in the Spartanburg area.

13 When I talk with community leaders, large
14 customers, and friends and neighbors about the Duke
15 proposed rate case, a few common themes emerge.
16 The first one is easy: Nobody likes a cost
17 increase. It's not a surprise. They don't like it
18 for gasoline, groceries, higher education, health
19 care, or energy. Unfortunately, it's a reality we
20 all face, and Duke is not immune to that.

21 Another theme is surprise. When I remind
22 folks that Duke has not had a rate case for an
23 increase in base rates in South Carolina since
24 1991, most people are very surprised at that.
25 Since our last rate case in the early '90s, we've

1 invested about \$14 billion in power supply,
2 environmental equipment, power lines' upgrades, all
3 while keeping our base rates the same as they were
4 in '91.

5 The third thing, a matter of common sense, we
6 all recognize that the timing of this is a
7 challenge. It's a tough time for everybody.
8 Nobody wants higher costs, but a company like Duke
9 cannot continue to deliver on its commitments to
10 its customers with base rates that are stuck at
11 1991 levels. I can assure you we're doing our part
12 in trying to manage these costs.

13 Today our customers benefit from the way we
14 operate our system and run our business. Our rates
15 are 37 percent below the national average, and they
16 will remain among the most competitive in the
17 nation with this rate case.

18 In 2009, we froze salaries for almost all our
19 salaried employees. We've cut \$150 million of
20 expenses from our budget. The increase we are
21 requesting will pay for billions of dollars of
22 investments that have already been made to build a
23 cleaner and more reliable system. We will also
24 better align rates for all of our customers in the
25 different rate categories, whether they be

1 industrial, commercial, or residential, so that
2 customers will pay a more accurate and fair share
3 of the costs that we incur to serve them.

4 We know that price matters to you, but so does
5 reliability and safeguarding our environment. Our
6 challenge is to balance all these important
7 commitments. We've done it for more than 100
8 years. This rate case will ensure that we continue
9 to do so for another century.

10 Thank you, and I hope you have a wonderful
11 Thanksgiving.

12 **VICE CHAIRMAN HOWARD:** Thank you.

13 [WHEREUPON, the witness was excused.]

14 **VICE CHAIRMAN HOWARD:** Now we'll call our
15 first witness. Attorney Dong.

16 **MR. DONG:** Before we get started, there's one
17 other matter I wanted to cover that I neglected to
18 cover before. In previous hearings, in some cases
19 we've had folks who didn't quite understand that
20 this is a time for you all to give testimony and
21 talk about your issues with this rate proposal.
22 The Commissioners are not permitted to answer
23 questions or to take questions from the ratepayers
24 who are here. Any questions should be directed to
25 either the lawyers or the other representatives

1 from either Duke or from the Office of Regulatory
2 Staff. Since the Commission is the body that
3 decides, we can't -- or, the Commission can't
4 answer questions.

5 That said, I'll go ahead and call the first
6 witness. Orlando Black?

7 [Witness sworn/affirmed]

8 THEREUPON came,

9 O R L A N D O B L A C K ,

10 who, having been first duly sworn/affirmed, testified as
11 follows:

12 WITNESS: Thank you for the opportunity of
13 being here tonight. I had a couple of questions,
14 and you all should know, or you don't know. How
15 many employees worked for Doris Duke that belong --
16 that are traded on the stock market? Last account
17 I had, there was two, five days a week. And the
18 second question is, how many hundred million
19 dollars have they lost on the stock market for the
20 last 15 months? Now if y'all can't do anything
21 about that and take that into consideration, you
22 don't need to be here. Thank you so much for your
23 time. That's all I have to say.

24 MR. DONG: Mr. Black, are you a customer?

25 WITNESS: Yes, I am, and the address is 615

1 Oak Grove Road.

2 MR. DONG: Thank you, sir.

3 WITNESS: Sorry about that.

4 MR. DONG: We need to give anybody else an
5 opportunity to --

6 VICE CHAIRMAN HOWARD: Mr. Black, just a
7 minute. ORS, do you have any questions of Mr.
8 Black?

9 MS. REIBOLD: No questions, Mr. Chairman.

10 VICE CHAIRMAN HOWARD: Duke Energy Carolinas?

11 MS. HEIGEL: No questions, Mr. Chairman.

12 VICE CHAIRMAN HOWARD: Commissioners?

13 COMMISSIONER HAMILTON: No questions.

14 VICE CHAIRMAN HOWARD: Mr. Black, you may be
15 excused. Thank you for your time.

16 MR. DONG: Thank you, sir.

17 VOICE: He don't get an answer?

18 MR. DONG: No, sir.

19 WITNESS: Shame on y'all. Excuse me.

20 MR. DONG: Mr. McMillan?

21 VOICE: No answer?

22 VICE CHAIRMAN HOWARD: I want to remind you
23 again, we're not here to answer questions. We want
24 to hear your input. This is for you and your
25 input. We'll make a decision judged on your input,

1 so we're not even allowed to answer questions.

2 MR. DONG: The law doesn't allow us to answer
3 questions.

4 VICE CHAIRMAN HOWARD: So that's the purpose
5 of it, and I just want to remind you.

6 MR. DONG: If you'd like to stay afterward and
7 talk to the representatives or the lawyers for the
8 Office of Regulatory Staff or Duke, you can feel
9 free to do so, but the Commissioners cannot answer
10 questions. This is not a forum for people to ask
11 questions of the Commissioners. Okay, that having
12 been said, Mr. Hugh McMillan?

13 [Witness sworn/affirmed]

14 THEREUPON came,

15 H U G H C . M c M I L L A N ,

16 who, having been first duly sworn/affirmed, testified as
17 follows:

18 WITNESS: Hugh Conway McMillan, 318 Oleander
19 Lane, Spartanburg, 29303.

20 MR. DONG: Are you a Duke customer, sir?

21 WITNESS: I'm a 20-year customer, currently a
22 residential customer. I have been a customer in
23 the role of a businessman and as an employee of
24 manufacturing organizations.

25 Probably going to be the only one here

1 tonight, other than the first gentleman, to say
2 that I support the increase. Duke Power needs to
3 be prepared to meet the demands that are coming
4 before us, both the political climate and the
5 increase in supplies. We can either have this rate
6 increase now, in my opinion, to prepare for the
7 future, or we can have rate increases later to
8 knock down demand. By and large, all of us -- none
9 of us want to have an increase in our home electric
10 bill, but the important thing is when our children
11 go to work, then, that they have a switch to turn
12 on to feed the energy for jobs.

13 Now, Duke Power generates electricity with
14 nuclear energy. We all know what the face is on
15 that in terms of cost, we know the federal
16 government has failed to answer their
17 responsibility on disposal, and Duke Power still
18 has that; and we hope that Duke Power will have the
19 capital so, when we finally break loose on these
20 absurd regulations on building additional nuclear
21 plants, Duke will have the capital to do that.

22 We have an attack by the federal government on
23 our biggest natural resource, which is also used in
24 the generation of electricity, which is coal. If
25 the cap-and-trade thing goes through -- and that's

1 one that I have to say against Duke Power, is
2 they're supporting this fool thing. But if cap-
3 and-trade goes --

4 [Applause]

5 **WITNESS:** If cap-and-trade goes through, the
6 President has said he is going to destroy the
7 generators of electricity that use coal. Duke
8 Power needs to be in a position to react to that.

9 And finally, all of us in South Carolina are
10 against additional hydro-electric plants on the
11 Catawba River stealing our water. So, you know,
12 there are a lot of reasons to speak negatively
13 about this, but you've got to be fair, and the fair
14 thing is to give Duke Power this increase now.

15 A lot of my fellow conservatives always talk
16 about doing the right thing. This is the right
17 thing. This ain't the popular thing; this is the
18 right thing. Duke Power has been a good,
19 responsible provider, at least as long as I have
20 been a customer. They have been responsible on the
21 environment and as a citizen. And most of all,
22 just about everyone -- I'll be surprised if there's
23 a soul in here that doesn't have a dog in the fight
24 with regard to Duke Power in their retirement
25 account. Duke Power has been a responsible and

1 faithful supplier of dividends to their
2 stockholders and to retirement accounts.

3 This is not a popular stance that I'm taking
4 and I probably need to head quickly to the door,
5 but I say once again, I support this increase. Any
6 questions?

7 **VICE CHAIRMAN HOWARD:** ORS, any questions of
8 Mr. McMillan?

9 **MS. REIBOLD:** No questions, Mr. Chairman.

10 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

11 **MS. HEIGEL:** No questions, and we thank him
12 for his testimony.

13 **WITNESS:** Thank you.

14 **VICE CHAIRMAN HOWARD:** Commissioners?

15 [No response]

16 **VICE CHAIRMAN HOWARD:** No questions. You may
17 be excused. Thank you, Mr. McMillan.

18 [WHEREUPON, the witness was excused.]

19 **MR. DONG:** Michael Brady.

20 [Witness sworn/affirmed]

21 THEREUPON came,

22 **M I C H A E L B R A D Y ,**
23 who, having been first duly sworn/affirmed, testified as
24 follows:

25 **WITNESS:** My name is Michael Brady. Address

1 is 235 Brian Court, Spartanburg, South Carolina
2 29307.

3 I'm a small business owner, *Boiling Springs*
4 *Today* magazine and Upstate Printing. I also have a
5 home in Spartanburg. I understand that this
6 increase is 12-1/2 percent, if that's correct, and
7 I assume you'll let me know if it's not. At 12-1/2
8 percent, and where our unemployment is right now at
9 17-1/2 percent, if you kind of equate those two
10 figures together, you're looking at a lot of folks
11 that don't have jobs that can't deal with this 12-
12 1/2 percent increase.

13 We've had to lay off people. We're down to a
14 very minimal staff at this point. And so in South
15 Carolina you'll find that there's a lot of folks
16 that are out of work, because our jobs have been
17 taken away here. Nothing against Duke Power,
18 because Duke Power has always provided a good
19 service for us. However, now that we know that you
20 support cap-and-trade, this increase will be at
21 12-1/2 percent, and once cap-and-trade goes in --
22 and I was talking to your representative earlier
23 tonight, and she said that they are taking the
24 stance that Congress will pass this bill. Okay, so
25 if Congress passes this bill and we're looking at

1 double again, because that's what cap-and-trade
2 would do because of the coal issue in the State
3 where we can't generate any jobs via coal and
4 they're going to tax us on our energy at about a
5 rate of 50 percent, so now we're looking at a
6 possibly 60 to 65 percent increase. I don't know
7 any person that owns a business in South Carolina,
8 that lives in South Carolina, that specifically
9 lives in Spartanburg, that can afford that. And I
10 know that Duke Power is showing profits. I can
11 assure you that my business is not showing profit,
12 and that any folks I know who have businesses in
13 Boiling Springs or South Carolina are showing very
14 little, if any. Any questions?

15 **VICE CHAIRMAN HOWARD:** Any questions from ORS?

16 **MS. REIBOLD:** No questions.

17 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

18 **MS. HEIGEL:** No questions, but I would correct
19 the rate increase figure. The original application
20 was for an average increase of 9.3 percent, and per
21 the settlement that was filed today, the average
22 increase is 1.7 percent.

23 **WITNESS:** I have not seen that. The last
24 figures I heard was 12-1/2. Is that not correct?

25 **MS. HEIGEL:** That would've been a different

1 figure. The figures are different by rate class,
2 so it will vary. We can talk to you after the
3 hearing about what those original figures were, and
4 what they are as proposed in the settlement
5 agreement, which would have to be approved by this
6 Commission and will be the subject of the
7 proceeding.

8 **WITNESS:** So it would vary from area to area?

9 **MS. HEIGEL:** No, by class. If you're a
10 residential customer, there's a different rate
11 impact than if you're a commercial customer, than
12 if you're an industrial customer.

13 **WITNESS:** So I'm both, so what does that do
14 for me?

15 **MS. HEIGEL:** We can talk to you after the
16 hearing, if you like, and get you those figures --

17 **VOICE:** Let's hear it now.

18 **VOICE:** We want it now.

19 **VICE CHAIRMAN HOWARD:** All right.

20 **VOICE:** Get it out on the carpet now.

21 **VICE CHAIRMAN HOWARD:** Any questions from the
22 Commissioners?

23 [No response]

24 **VICE CHAIRMAN HOWARD:** Mr. Brady, you may be
25 excused. Thank you.

1 [WHEREUPON, the witness was excused.]

2 MR. DONG: Kathleen Hilton.

3 [Witness sworn/affirmed]

4 THEREUPON came,

5 K A T H R Y N H I L T O N ,

6 who, having been first duly sworn/affirmed, testified as
7 follows:

8 MR. DONG: Let me remind everyone to please
9 state your name and address, and whether you are a
10 Duke customer.

11 WITNESS: Kathryn Hilton. 1747 Ridgecrest
12 Avenue, Southwest, Aiken, South Carolina. While
13 not directly a Duke customer, Aiken receives
14 electricity from SCE&G and Aiken Electric; these
15 are both members of the Central Electric Power
16 Cooperative and this cooperative will be receiving
17 energy from the Cliffside coal plant that Duke
18 Energy is currently building.

19 Thank you, Commissioners, for hearing my
20 testimony this evening. The real issue that I have
21 is this increase is going to fund the construction
22 of a new coal-fired power plant in North Carolina,
23 and Duke Energy likes -- has said that this is a
24 [indicating] "clean" coal plant because of the
25 scrubbers that they put on the top of it, and all

1 these really do is reduce the amount of emissions
2 that go directly into the atmosphere, and instead
3 creates a particulate matter called coal ash, which
4 then has to be disposed of. This coal ash has many
5 heavy metals and toxins in it, and it is -- the
6 dumping of is unregulated by the EPA, currently. I
7 believe I'm correct on that. I think they are
8 going to put regulations in place, but as it is,
9 they haven't.

10 There's many instances of contamination from
11 these coal ash facilities, whether you look at the
12 one last December with the Tennessee Valley
13 Authority, a case with Dominion Energy in Virginia
14 in the Chesapeake area, or in South Carolina in
15 Columbia on the Wateree River, where it's tested
16 significantly above the federal level for arsenic
17 contamination. This new plant that these rate
18 increases will be funding are only going to
19 increase the chances of another disaster of these
20 magnitudes occurring.

21 I'd also like to state that pollution does not
22 recognize state boundaries. And if the plant is
23 built in North Carolina, we will see the negative
24 effects of that here.

25 Our money, instead of being spent on

1 pollution, should be spent on efficiency and the
2 potential of wind in South Carolina. Clemson
3 University just received \$98 million for a new --
4 to create a new generation of wind turbines in
5 South Carolina, which can provide our own
6 electricity off the shore. Department of Energy
7 Secretary Chu has recognized the potential for
8 offshore wind in South Carolina and the entire
9 eastern seaboard, as being able to provide 20
10 percent of energy needs for the eastern coast.

11 These things, with conservation and efficiency
12 efforts, are much more practical for South Carolina
13 than to approve these rate increases in North
14 Carolina to not only, I mean, are we outsourcing
15 our energy, but we're contributing greatly to
16 pollution and the degradation of our environment.
17 And with that, it's only -- we are only going to
18 move towards more stringent regulations in the
19 coming years, so it would be a bad investment on
20 our part to allow Duke Energy to invest billions of
21 our hard-earned dollars on this coal-fired power
22 plant that they're building.

23 And I guess that's really all I have to say
24 about it. So thank you for listening to my
25 comments.

1 [Applause]

2 **VICE CHAIRMAN HOWARD:** Quiet.

3 **MS. REIBOLD:** No questions.

4 **VICE CHAIRMAN HOWARD:** Duke?

5 **MS. HEIGEL:** No questions.

6 **VICE CHAIRMAN HOWARD:** Commissioners?

7 [No response]

8 **VICE CHAIRMAN HOWARD:** Thank you, very much,
9 Ms. Hilton.

10 [WHEREUPON, the witness was excused.]

11 **MR. DONG:** Tim Spence.

12 [Witness sworn/affirmed]

13 THEREUPON came,

14 **T I M S P E N C E R ,**

15 who, having been first duly sworn/affirmed, testified as
16 follows:

17 **WITNESS:** my name is actually Tim Spencer.

18 **MR. DONG:** Sir, I'm sorry.

19 **WITNESS:** I'm actually a Duke customer.

20 **MR. DONG:** Thank you.

21 **WITNESS:** That's why I didn't just jump up. I
22 didn't know if you was talking to me or not.

23 My name is Tim Spencer. I'm a Cherokee County
24 resident. I'm also a Cherokee County Councilman.
25 So I serve also on the Council in Cherokee County,

1 but I'm also a business owner. I actually own a
2 small business in Cherokee County. I have about 14
3 employees, and I know what it's like to have a tax
4 -- the tax increase, I don't vote for. Cherokee
5 County didn't have a tax increase this year. And
6 this hike, you know, it's hard, a power hike,
7 raise, increase. But you know, guys, you've got to
8 understand, you know, if I hadn't had an increase
9 in my labor rates and my product rates in 15 years,
10 I'd done been out of business. So, you know, the
11 increase is actually to protect the customer,
12 protect the owner, and to protect the employees,
13 you know. There's inflation hikes going up every
14 day, whether it's fuel or groceries or -- but, you
15 know, I do support Duke. Duke is a great working
16 partner. Me being on Council, they have some great
17 representatives. All you got to do is pick up the
18 phone and you've got someone there, no matter if
19 it's a power outage, if it's a storm, if it's just
20 something that we need in general. Duke is a great
21 partner to Cherokee County. We're looking forward
22 to Duke coming with the Lee Nuclear Station which
23 is going to be probably about 2018. But it's going
24 to be great for the County, because they're a great
25 economic developer for the County. They're just

1 great for everything. I mean, the increase a lot
2 of people don't see, but, you know, if some of the
3 increases don't increase as far as their power
4 rates or, you know, taxes, you know, they're not
5 going to -- as long as you're showing what you're
6 doing with the money, whether it's increasing the
7 power or taxes or whatever, as long as you're
8 showing the public what you're doing with it, I
9 mean, that's one thing.

10 And like I said, I do support this. No one
11 wants a cost increase, but you know, Duke is a
12 great working partner. They're there on outages.
13 We don't have blackouts like some of the bigger
14 cities. Duke has never had that. It's great to
15 flip a switch and have lights. Power. Heat. So,
16 you know, I do support it.

17 And I also own a small business which lies in
18 the City of Gaffney. It's not Duke Energy. I have
19 to buy from a utility company there, and it's about
20 40 percent on a kilowatt higher. So, you know,
21 Duke in 19 years of keeping their prices down, you
22 know, I award you for that, because I don't know
23 how a working partner could've did that with not no
24 increase.

25 Thank y'all. It's a pleasure to be here.

1 **VICE CHAIRMAN HOWARD:** ORS, any questions for
2 Mr. Spence?

3 **MS. REIBOLD:** Thank you.

4 **CROSS EXAMINATION**

5 **BY MS. REIBOLD:**

6 **Q** Just one, Mr. Spence. Could you give us your address,
7 please? I believe I missed it.

8 **A** 985 Boiling Springs Highway. That's Gaffney, South
9 Carolina.

10 **MS. REIBOLD:** Thank you. No further
11 questions.

12 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

13 **MS. HEIGEL:** No questions.

14 **VICE CHAIRMAN HOWARD:** Commissioners?

15 **COMMISSIONER WHITFIELD:** Mr. Chairman.

16 **VICE CHAIRMAN HOWARD:** Commissioner Whitfield.

17 **EXAMINATION**

18 **BY COMMISSIONER WHITFIELD:**

19 **Q** Mr. Spence, if you could, could you tell us what your
20 employment numbers look like in Cherokee County, and
21 what your industrial prospects look like? Where your
22 industry is, and your job situation in Cherokee County
23 is currently?

24 **A** Well, the unemployment rate in Cherokee County is very
25 high, you know, and we're looking for any kind of

1 commercial, any kind of business to come in there that
2 we can, because unemployment is one of the number one
3 things in Cherokee County. And any way that we can work
4 with a working partner, as far as Duke or any other
5 company come in there, any way we can secure jobs,
6 whether it be fee-in-lieu-of-taxes or whatever the
7 County can do, that's what we're looking for.

8 **COMMISSIONER WHITFIELD:** Thank you, Mr.

9 Spence. That's all I have, Mr. Chairman.

10 **VICE CHAIRMAN HOWARD:** Any other questions,
11 Commissioners?

12 [No response]

13 **VICE CHAIRMAN HOWARD:** Mr. Spence, thank you
14 for coming.

15 **WITNESS:** Thank y'all.

16 [WHEREUPON, the witness was excused.]

17 **MR. DONG:** Thomas Tinsley.

18 [Witness sworn/affirmed]

19 THEREUPON came,

20 **T H O M A S T I N S L E Y ,**

21 who, having been first duly sworn/affirmed, testified as
22 follows:

23 **WITNESS:** Thomas Tinsley, 304 Greenville
24 Highway.

25 **VICE CHAIRMAN HOWARD:** Mr. Tinsley, could you

1 speak up a little bit, so the court reporter can
2 hear you? Thank you.

3 **WITNESS:** About three or four weeks, Duke
4 Power employees come over there to do some
5 insulation that was broke off, and left the trash
6 there in the road. I had to get it up and take it
7 out.

8 And back about ten years ago we had power
9 going all right, and it started having outages.
10 And my wife called some man before all this came
11 out, and the man told her if she had any more
12 trouble to let them know. Well, in the last six,
13 seven years, they got a residential substation
14 about three miles from our house on the Interstate,
15 29 and 85. And I've had power outages, blinks, all
16 kind of stuff since then. And I don't know why,
17 but afterwards I've walked the line and it looked
18 like it's all clear, but it's about three -- maybe
19 -- a little over three miles, as the wire runs, to
20 my house, and I've had more trouble with that than
21 the ten years before they put that up, until I
22 talked to the boy -- I talked to some man with
23 them. At that time, wasn't no trouble against Duke
24 Power to help if you needed them to get a problem
25 fixed, but now it's not that way.

1 And I've always been honest and forthright in
2 my dealings. I never -- I wouldn't tell a lie here
3 for no man's money. I'm too good a man for that.
4 Thank you.

5 **VICE CHAIRMAN HOWARD:** Just a minute, Mr.
6 Tinsley. Any questions, ORS?

7 **MS. REIBOLD:** No, sir. No questions.

8 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

9 **MS. HEIGEL:** No questions, Mr. Chairman. We
10 would just direct --

11 **VICE CHAIRMAN HOWARD:** Mr. Tinsley? Mr.
12 Tinsley? Mr. Tinsley, just a minute, just a
13 minute.

14 **MS. HEIGEL:** We would just direct Mr. Tinsley
15 to Ms. Yarbrough after the hearing, or we can take
16 your name and number --

17 **WITNESS:** Ma'am, I'm hard of hearing.

18 **MS. HEIGEL:** We would like to speak with you
19 after the hearing and see if we can help you with
20 your problems with your power.

21 **WITNESS:** I -- it's too far --

22 **VICE CHAIRMAN HOWARD:** Ms. Yarbrough, would
23 you --

24 **WITNESS:** -- down the line, I think, for any
25 help.

1 **VICE CHAIRMAN HOWARD:** -- raise your hand?

2 **MS. YARBROUGH:** [Indicating.]

3 **WITNESS:** I'll be glad to stay, though.

4 **VICE CHAIRMAN HOWARD:** Mr. Tinsley, that's Ms.
5 Yarbrough, if you'll see her after the hearing.

6 **VICE CHAIRMAN HOWARD:** Commissioners, any
7 questions of Mr. Tinsley?

8 **COMMISSIONER WRIGHT:** One.

9 **VICE CHAIRMAN HOWARD:** Mr. Wright,
10 Commissioner Wright.

11 **EXAMINATION**

12 **BY COMMISSIONER WRIGHT:**

13 **Q** What is your address again? Could you give me your
14 address?

15 **A** Why?

16 **Q** No, could you give me your address?

17 **A** I said why?

18 **Q** So that --

19 **VICE CHAIRMAN HOWARD:** Just for the record.

20 **WITNESS:** 384 Old Greenville Highway. I
21 didn't mean to create a scene, but I don't need
22 that [indicating] to make me tell the truth. God
23 upstairs is the one that guides me in that.

24 **VOICES:** Amen.

25 [Applause]

1 **VICE CHAIRMAN HOWARD:** Any other questions,
2 Commissioners?

3 [No response]

4 **VICE CHAIRMAN HOWARD:** Mr. Tinsley, you may be
5 excused. Thank you.

6 [WHEREUPON, the witness was excused.]

7 **MR. DONG:** Maria Brady.

8 [Witness sworn/affirmed]

9 THEREUPON came,

10 **M A R I A B R A D Y ,**
11 who, having been first duly sworn/affirmed, testified as
12 follows:

13 **WITNESS:** I'm Maria Brady. I reside at 235
14 Brian Court, Spartanburg, South Carolina. I also
15 have a business. I have Duke Energy at both my
16 home and my business.

17 **VICE CHAIRMAN HOWARD:** Go ahead.

18 **WITNESS:** Okay. I would like to bring up the
19 subject that, knowing that -- with the stimulus
20 money that Duke Power received and the \$200 million
21 they requested, that they were the biggest winner,
22 Duke Power was, I understand, out of all the other
23 energy type stimulus money distributed. So I'm
24 thinking, with all that money -- and I'm also
25 concerned about the decoupling situation -- it

1 appears to me that the more we strive to save
2 energy, maybe it's not going to really help us that
3 much, with the decoupling. I have a real issue
4 with that.

5 And I had a real issue when I was watching
6 television a week or so ago, and I saw the CEO for
7 Duke Energy state -- he was speaking on a panel on
8 TV -- that he was backing this cap-and-trade. And
9 I realize that they're getting all this money, and
10 I just have a real issue with where is all this
11 money going? Why do they need to go up on their
12 rates at a time when our country is really
13 suffering. Our economy is suffering bad.

14 **VOICES:** Amen.

15 [Applause]

16 **WITNESS:** Being a small business owner, I
17 watch my business just basically dwindle down as I
18 watched as so many businesses around me close.
19 Small businesses are having a really hard time in
20 Spartanburg. There's a lot of unemployment here.
21 And they say it's around 12 percent; that's just
22 the tip of the iceberg, because there are so many
23 people that no longer draw their unemployment, that
24 no longer get their benefits, so I would say that
25 it's probably more close to 20, 23 percent, because

1 they're not including those people. But the point
2 is, there's a lot of unemployed people in this
3 town. There's a lot of businesses going out of
4 business, and I know that because I'm in the
5 business of serving small businesses. I'm a small
6 business. My business handles advertising for
7 small businesses and printing for small businesses.
8 Unfortunately, when they go out of business and
9 can't pay their bills, I can't pay my bills. I'm
10 suffering.

11 Two years ago, I had eight employees. One
12 year ago, I had five. Today, I have none. I had
13 to lay them all off because people can't pay their
14 bills. They're going out of business, and they
15 can't pay me. So I'm hanging on with my
16 fingernails. The last thing I need is an increase
17 in anything.

18 [Applause]

19 **WITNESS:** And I apologize, Chairman --

20 **VICE CHAIRMAN HOWARD:** Please refrain from
21 clapping. The court reporter has to record this,
22 and she can't hear it with the noise in the
23 background. So, please refrain from the clapping.
24 Thank you. Go ahead, I'm sorry.

25 **WITNESS:** I apologize for not addressing you

1 properly when I came up. I'm not a speaker. So,
2 you know, I do thank you Chairman and Commissioners
3 for letting me speak today. And I thank you.
4 That's all.

5 **VICE CHAIRMAN HOWARD:** Thank you, Ms. Brady.
6 ORS, Any questions?

7 **MS. REIBOLD:** No questions, Mr. Chairman.
8 Thank you.

9 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

10 **MS. HEIGEL:** No questions.

11 **VICE CHAIRMAN HOWARD:** Commissioners?

12 [No response]

13 **VICE CHAIRMAN HOWARD:** Thank you, Ms. Brady,
14 you may be excused.

15 [WHEREUPON, the witness was excused.]

16 **MR. DONG:** Gene Pitts.

17 [Witness sworn/affirmed]

18 THEREUPON came,

19 **G E N E P I T T S ,**

20 who, having been first duly sworn/affirmed, testified as
21 follows:

22 **WITNESS:** My name is Gene Pitts. My business
23 address is 100 Southwest Drive, in Spartanburg,
24 South Carolina 29303. I am a Duke Energy
25 customer, both in my business, manufacturing

1 business, and also at my residence.

2 I appreciate the opportunity to be able to be
3 here and speak to you folks, and, you know,
4 hopefully we can get some questions answered and
5 some things cleared up.

6 I run a small family-owned manufacturing
7 business that uses quite a bit of electricity.
8 We're in the business of processing plastic,
9 injection-molded products. A rate increase will
10 impact us tremendously. As you know, we have a lot
11 of competition from other countries, as well as
12 here at home. And, you know, I think South
13 Carolina and the utilities commission should be
14 doing things to bring more businesses, so
15 businesses like mine can grow back up to where they
16 once were.

17 We are down to about seven employees, and at
18 our peak we were at 35. So that's quite a decrease
19 in personnel. Now, you know, in some months and in
20 some instances, my power bill is 30 percent of --
21 I'm sorry -- 10 percent of my sales, at times,
22 during the peak months. And I have spent the last
23 year cutting costs, reducing costs, by doing a lot
24 of different things in my business: you know,
25 reducing personnel, looking for ways to better --

1 and to be able to compete. And I've acquired new
2 customers and new business by doing that, but we
3 are coming back up and it's going to be very
4 difficult for us to face another increase.

5 And I know you mentioned that rates were
6 different for businesses and for residential. So,
7 you know, after this I would like to get some
8 answers on what the impact is going to be on the
9 business customer, as well as the residential. And
10 that's some of the things we could clear up.

11 And one other comment I'd like to make is --
12 and it may be a question for the Duke Energy folks,
13 and for you guys, too, maybe -- is what kind of
14 things are we doing to help small businesses to cut
15 or reduce their costs and to have an impact to
16 where they can go back and create jobs and be able
17 to get back to the levels we once were?

18 That's all I have. Does anybody have any
19 questions for me?

20 **VICE CHAIRMAN HOWARD:** Thank you. Does ORS
21 have any questions for Mr. Pitts?

22 **MS. REIBOLD:** No questions. Thank you.

23 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

24 **MS. HEIGEL:** No questions, Mr. Chairman.

25 **VICE CHAIRMAN HOWARD:** Commissioners?

[No response]

VICE CHAIRMAN HOWARD: Mr. Pitts, thank you.

You may be excused. Thank you.

[WHEREUPON, the witness was excused.]

MR. DONG: Denise Elston.

MS. ELSTON: I'll pass.

VICE CHAIRMAN HOWARD: Ms. Elston?

MS. ELSTON: I'll pass.

VICE CHAIRMAN HOWARD: Pass.

MR. DONG: Ms. Elston passes? Okay. George Acker.

VICE CHAIRMAN HOWARD: He's already spoken.

MR. DONG: That's right. It's on my list.
Mary Beth Green.

[Witness sworn/affirmed]

THEREUPON came,

M A R Y B E T H G R E E N ,

who, having been first duly sworn/affirmed, testified as follows:

WITNESS: My name is Mary Beth Green, and I'm at 117 Mitchell Avenue, Clemson, South Carolina. I've been a Duke customer for 22 years. And I want to thank you for allowing me to speak. I listened to the audience last night and I'm here today to speak so that you can hear another voice against

1 the proposed Duke Power rate increase.

2 Because Duke Power provides electricity as a
3 monopoly, we, as citizens and taxpayers have,
4 between us and them, your agency for protection, so
5 I'm asking you to thoughtfully consider this role
6 and the ramifications of a rate hike during a time
7 of rising job losses throughout the nation and
8 South Carolina, and various economists don't even
9 expect these jobs to be replaced for some years.

10 And second, as you probably know and probably
11 have experienced, we are losing our resources
12 through our savings and retirement plans. Social
13 Security has been denied a cost-of-living increase
14 for the next three years. And I guess, as you can
15 tell, when businesses have increased electricity
16 costs they struggle, in these times, to either pass
17 that cost on to their customer or to absorb it due
18 to the competitive environment in which they
19 operate. They may not can pass it on. So
20 sometimes in order to be competitive or just to
21 decrease overhead, it means they have to cut
22 employee pay or cut out the employees -- which
23 you've heard that same testimony. I've even read
24 about a city in South Carolina -- Fort Mill, South
25 Carolina -- which on their website at

1 <http://www.fortmillsc.org/> says that they are going
2 to increase their millage five millages, and they
3 have eliminated increasing employee pay, and they
4 are cutting out a part-time position, but they are
5 able to pass on their costs legally by South
6 Carolina law. I'm not questioning that. One of
7 the -- and Duke is just one of the reasons that
8 they have to do this, that they are anticipating
9 this rate hike increase.

10 I would ask the Commission to consider how
11 Duke Power's cost-cutting measures are in line with
12 other businesses that operate in a competitive
13 environment, and in this recent environment of
14 severe job loss, et cetera, that I have mentioned
15 above. I think this increased rate has a
16 detrimental, snowballing effect, and I would in
17 fact ask Duke Power to consider finding a way to
18 decrease rates. I think that would have a positive
19 snowballing effect.

20 **VOICE:** Yes.

21 **VOICE:** Amen.

22 **WITNESS:** Now, I --

23 [Applause]

24 **WITNESS:** -- have an article --

25 **VICE CHAIRMAN HOWARD:** Please.

1 **WITNESS:** -- that I have read here -- can you
2 hear me? I'm sorry.

3 **VICE CHAIRMAN HOWARD:** Go ahead.

4 **WITNESS:** I have an article that I have here,
5 and it's one of many that I'm sure people can find
6 on the Internet or have access to. And it talks
7 about that Duke Power was awarded stimulus funds
8 for smart grid in October 2009. They were one of
9 100 companies out of 300-plus, according to this
10 article. And I don't know about you, but I will
11 say that, under testimony, I have seen Congress,
12 committees, or questioning groups like this, ask
13 about the auditing of stimulus funds, and I heard
14 the person say there was no provision. I do not
15 know if that applies here, but I would ask that the
16 Public Service Commission request such follow-up
17 audit, to find out if -- how these funds, these
18 stimulus funds will be spent or are spent by Duke
19 Power. And I would like to find that out, because
20 when I receive funds in my own budget life, in my
21 personal one at home, if I get funds and I realize
22 I can pay for something that I have already
23 budgeted, then I can use those other funds for
24 something else. So, and those funds would be
25 available maybe to decrease the rate hike. Thank

1 you so much for listening to me.

2 **VICE CHAIRMAN HOWARD:** Thank you, Ms. Green.

3 Any questions --

4 [Applause]

5 **VICE CHAIRMAN HOWARD:** -- from ORS?

6 **MS. REIBOLD:** No questions.

7 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

8 **MS. HEIGEL:** No questions.

9 **VICE CHAIRMAN HOWARD:** Commissioners?

10 [No response]

11 **VICE CHAIRMAN HOWARD:** Ms. Green, thank you,
12 for coming.

13 **WITNESS:** Thank you.

14 **VICE CHAIRMAN HOWARD:** You may be excused.

15 [WHEREUPON, the witness was excused.]

16 **MR. DONG:** Jim Elston.

17 [Witness sworn/affirmed]

18 THEREUPON came,

19 **J I M E L S T O N ,**

20 who, having been first duly sworn/affirmed, testified as
21 follows:

22 **WITNESS:** My name is Jim Elston. I live at
23 7163 Lone Oak Road, in Spartanburg, South Carolina,
24 and I am a Duke Power customer. I'd like to thank
25 you guys for taking it upon yourself to be the

1 mediator between the public works -- I mean, the
2 utilities and the public. But, you know just an
3 observation, myself, there is a lot of bad economic
4 things going on in this country. Not just here,
5 it's across the country. There's a lot of people
6 here, I'm sure, who would like to have an increase
7 of their own, if they had someone to go to. Many
8 of them here would like to probably have an extra
9 \$5 or \$10 a month to be able to buy an extra
10 prescription that the doctor is telling them that
11 they really need to prolong their life or to
12 alleviate suffering.

13 I don't know how much stimulus money Duke
14 Power got from the government, but they got it from
15 these people --

16 **VOICE:** That's right.

17 **VOICE:** Uh-huh.

18 **WITNESS:** -- already.

19 **VOICE:** That's right.

20 **VOICE:** Yep.

21 **WITNESS:** And just looking at the people
22 sitting here versus the people sitting here
23 [indicating], I can see a lot of difference in
24 lifestyle.

25 [Applause]

1 **VOICE:** Amen.

2 **VOICE:** That's right, brother.

3 **WITNESS:** Unless I'm just, you know, crazy or
4 something. And there's a lot of things that I'm
5 sure these people would like to have, just like
6 these people have [indicating].

7 **VOICE:** That's right.

8 **WITNESS:** And I would just pray that you would
9 make a good decision under the circumstances that
10 we are in in this country right now. God bless
11 you.

12 **VICE CHAIRMAN HOWARD:** Thank you, just a
13 minute.

14 **WITNESS:** God bless you.

15 **VICE CHAIRMAN HOWARD:** Just a minute, Mr.
16 Elston -- Mr. Elston, just a minute. ORS, any
17 questions?

18 **MS. REIBOLD:** No questions.

19 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

20 **MS. HEIGEL:** No questions.

21 **VICE CHAIRMAN HOWARD:** Commissioners?

22 [No response]

23 **VICE CHAIRMAN HOWARD:** Mr. Elston, thank you
24 for coming.

25 **WITNESS:** God bless you.

1 [WHEREUPON, the witness was excused.]

2 MR. DONG: David Cordeau.

3 [Witness sworn/affirmed]

4 THEREUPON came,

5 D A V I D C O R D E A U ,

6 who, having been first duly sworn/affirmed, testified as
7 follows:

8 WITNESS: Good evening. My name is David
9 Cordeau. I live at 200 Murph Road, in Pauline,
10 South Carolina. I am a customer. I'm also the
11 president of the Spartanburg Area Chamber of
12 Commerce, and the Economic Futures Group, which is
13 the economic development organization for this
14 County.

15 While we all see the impacts of a global
16 recession, we have been able to encourage companies
17 from around the world to locate facilities and
18 invest in Spartanburg County with new facilities
19 and new jobs. This happens because we have a
20 competitive environment which ranges from cost of
21 living to available labor. In today's world,
22 competitive energy costs are no small factor.
23 Being able to supply high-quality, reliable, and
24 cost-effective electric service is vital for our
25 economic progress.

1 Upstate, as you know, is a center for
2 manufacturing and technology. Not only do our
3 companies need large quantities of electricity,
4 they need to be assured that the supply and the
5 quality will be there well into the future. We are
6 surely aware that to ensure an adequate supply of
7 energy, this will require significant continued
8 investment by Duke Energy.

9 While all of us carefully scrutinize any
10 possible increase in our expenses, we occasionally
11 conclude that sometimes they are necessary if we
12 are to go forward. It appears that such is the
13 case with this request.

14 Let me also add that Duke Energy is a valued
15 partner in our economic development activities and
16 our community progress initiatives, and I
17 appreciate this opportunity to address the
18 Commission.

19 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Cordeau.
20 ORS, any questions?

21 **MS. REIBOLD:** No questions, Mr. Chairman.

22 **VICE CHAIRMAN HOWARD:** Duke Energy?

23 **MS. HEIGEL:** No questions.

24 **VICE CHAIRMAN HOWARD:** Commissioners?

25 [No response]

1 **VICE CHAIRMAN HOWARD:** Mr. Cordeau, thank
2 you --

3 **VOICE:** May I ask --

4 **VICE CHAIRMAN HOWARD:** -- for coming.

5 **VOICE:** -- a question of this gentleman?

6 **VICE CHAIRMAN HOWARD:** No.

7 **MR. DONG:** After the hearing.

8 **VICE CHAIRMAN HOWARD:** No.

9 **VOICE:** I'd like to know how much Duke --

10 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Cordeau.
11 You can after, if you like.

12 **WITNESS:** Thank you.

13 **VICE CHAIRMAN HOWARD:** Thank you.

14 [WHEREUPON, the witness was excused.]

15 **MR. DONG:** Mark Koenig.

16 [Witness sworn/affirmed]

17 THEREUPON came,

18 **M A R K K O E N I G ,**

19 who, having been first duly sworn/affirmed, testified as
20 follows:

21 **WITNESS:** My name is Mark Koenig. My
22 residential address 114 West Woodglen Road,
23 Spartanburg, South Carolina; business address, 300
24 Jones Road, Spartanburg, South Carolina. I'm a
25 residential and business customer of Duke Power.

1 Good evening. I am the vice president of
2 manufacturing for R.R. Donnelley & Sons, which is
3 the nation's largest printing company, both in the
4 US and the world. For the past 12 years, I've been
5 responsible for the Spartanburg plant, and more
6 recently taken over responsibility for our
7 Pineville, North Carolina, facility, as well.

8 The Spartanburg plant, with over a million
9 square feet of floor space and approximately 600
10 employees, was built in 1980, and we've had a
11 number of expansions during the past 30 years.
12 Over the past five years, we've invested
13 approximately \$100 million in our Spartanburg
14 facility.

15 Energy is a significant portion of our cost
16 structure. Affordable and reliable electricity are
17 important factors in our company's decisions about
18 how we run our business and where capital
19 investments are made. The State's electricity
20 rates are well below regional and national
21 averages, and have allowed us to continue to
22 justify capital expenditures in the Spartanburg
23 facility.

24 Like many large companies, we have seen costs
25 for operating our business rise over the past

1 decade, including labor costs, materials, and
2 transportation. We know Duke Energy is facing
3 those same cost pressures, in addition to meeting
4 new requirements to produce electricity in a more
5 environmentally friendly way. Duke Energy has
6 worked with us over the years to make sure we're
7 using energy as efficiently as possible. It's a
8 relationship that has helped us save money and
9 electricity. They've recently collaborated with us
10 to install the latest technology in an electronic
11 boiler, which has helped us significantly reduce
12 our energy costs and consumption.

13 In this rate case, we appreciate that Duke
14 Energy is aligning the rates we pay more accurately
15 to reflect the costs they incur to serve us. We
16 believe this is a fair approach to rates and
17 balances the needs of Duke Energy with the broader
18 business community.

19 Thank you for giving me an opportunity to
20 provide our positive perspective on Duke's proposed
21 rate increase.

22 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Koenig.
23 Any questions, ORS?

24 **MS. REIBOLD:** No, sir, no questions.

25 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

1 MS. HEIGEL: No questions.

2 VICE CHAIRMAN HOWARD: Commissioners?

3 COMMISSIONER MITCHELL: Yes, sir.

4 VICE CHAIRMAN HOWARD: Commissioner Mitchell.

5 EXAMINATION

6 BY COMMISSIONER MITCHELL:

7 Q Mr. Koenig, you spoke about the investment here in
8 Spartanburg at this particular plant.

9 A Right.

10 Q How would the investment here rank with other plants or
11 in other parts of -- I believe you said the world and
12 country. How would this investment here rank with those
13 plants, as far as the last few years?

14 A In the last few years, we've been probably one of the
15 top one-two-three within the company, and it's been a
16 competitive process. In a large organization like ours,
17 you make business decisions, but you've got to put your
18 money where you can get the best return on your
19 investments.

20 Q And you attribute that --

21 A Most definitely, to the business environment and the
22 Duke Energy rates we've been able to get.

23 COMMISSIONER MITCHELL: Thank you, sir.

24 VICE CHAIRMAN HOWARD: Commissioners, any
25 other questions?

1 [No response]

2 **VICE CHAIRMAN HOWARD:** Mr. Koenig, you may be
3 excused. Thank you for coming.

4 [WHEREUPON, the witness was excused.]

5 **MR. DONG:** Sylvia Means.

6 [Witness sworn/affirmed]

7 THEREUPON came,

8 **S Y L V I A M E A N S ,**

9 who, having been first duly sworn/affirmed, testified as
10 follows:

11 **WITNESS:** My name is Sylvia Means. 525
12 Fairground Road. Duke Power -- Duke Energy
13 customer, ever since I've been grown and that's
14 been a long time.

15 All right, talking about raises -- there are
16 so many things I wanted to say that's already been
17 said, but when they start talking about raises,
18 they usually kind of slip some raises in on you to
19 start with. About three months ago, my bill went
20 up \$24-and-something. The next month it was \$30-
21 something. This time I haven't seen it, so it's
22 not paid. I'm on a fixed income, too. And if they
23 got stimulus money to already do these things and
24 then they get this, and things go down so bad on
25 peoples, and then they want to turn around and

1 raise them, or -- and we stand up here and wants to
2 put our hands on Bibles and things -- we need to
3 think about that, think about what we are doing to
4 peoples that is faithful --

5 **VOICE:** Yeah

6 **VOICE:** Uh-huh.

7 **WITNESS:** -- to the company. Thank you.

8 **VOICE:** That's right.

9 [Applause]

10 **VICE CHAIRMAN HOWARD:** ORS, any questions?

11 **MS. REIBOLD:** No questions.

12 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

13 **MS. HEIGEL:** No questions.

14 **VICE CHAIRMAN HOWARD:** Commissioners.

15 [No response]

16 **VICE CHAIRMAN HOWARD:** Ms. Means, thank you,
17 very much, for coming.

18 [WHEREUPON, the witness was excused.]

19 **MR. DONG:** Christina Jeffrey.

20 [Witness sworn/affirmed]

21 THEREUPON came,

22 **C H R I S T I N A J E F F R E Y ,**

23 who, having been first duly sworn/affirmed, testified as
24 follows:

25 **WITNESS:** I'm Christina Jeffrey, 801 Palmetto

1 Street, and a Duke Energy customer.

2 I am very appreciative of the fact that Duke
3 Energy is a private corporation, that it has to
4 raise money, and that it has to have an income. I
5 am reminded of the fight that took place between
6 the government and the private sector in the '30s,
7 how Wendell Wilkie fought the government, and the
8 government won.

9 I'm concerned that Duke Power has chosen to
10 put itself on a side opposite of the middle class.
11 The middle class is concerned about affordable
12 energy. And the middle class is not impressed or
13 persuaded by the climate change arguments. Duke
14 Energy has put its prestige, through its
15 leadership, on the side of pushing for the climate
16 change bill. If the climate change bill is signed,
17 President Obama says he will go to Copenhagen and
18 sign the treaty, which will be devastating for our
19 middle class and for the United States, because
20 there will be an organization -- I think it's
21 called "facility" in the treaty -- that will set
22 rates for us, and they will not be -- they will not
23 be friendly to Americans.

24 I don't really understand why Duke Power would
25 be on that side, unless they're trying to join the

1 government rather than fight the government, and
2 lose, like Wendell Wilkie. However, we in the
3 middle class are on Duke Energy's side and we want
4 Duke Energy to be on our side. We are struggling.
5 The middle class is struggling because of
6 unemployment, because their houses have gone down
7 in value, and my friends have no employees now.

8 So I appeal to the Public Service Commission.
9 Raise their rates when they have to be raised, but
10 \$200 million is a lot of money. Surely this can be
11 postponed until a more -- a safer time for us,
12 economically.

13 Thank you, very much. Are there any
14 questions?

15 **VICE CHAIRMAN HOWARD:** ORS, any questions of
16 Ms. Jeffrey?

17 **MS. REIBOLD:** No questions.

18 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

19 **MS. HEIGEL:** No questions.

20 **WITNESS:** Thank you for coming to Spartanburg.

21 **VICE CHAIRMAN HOWARD:** Commissioners?

22 [No response]

23 **VICE CHAIRMAN HOWARD:** Thank you, very much.

24 **WITNESS:** Thank you.

25 [WHEREUPON, the witness was excused.]

1 **MR. DONG:** Robert Sellars.

2 [Witness sworn/affirmed]

3 THEREUPON came,

4 **R O B E R T S E L L A R S ,**

5 who, having been first duly sworn/affirmed, testified as
6 follows:

7 **WITNESS:** Hi, I'm Robert M. Sellers, and I
8 live at 3213 Highway 56 in the Pauline community.
9 And I am a Duke Energy -- one of their customers.

10 I live down in the south -- in the south end
11 of Spartanburg County, and our line is fed through
12 a wire that comes down Highway 56. There's one way
13 in. And over the past several years, we have had
14 several outages. And over the past year we have
15 had several outages. And it's very frustrating to
16 have all of the outages in the length of time that
17 we have them, and call and try to get in touch with
18 someone at Duke Energy that could really help us.

19 Just last week there were two outages in less
20 than -- well, they got one of them on, and about
21 five minutes later another thing happened, and it
22 was out for about six to nine hours in one day.
23 That last outage and the lack of being able to
24 communicate with someone at Duke spawned a petition
25 in our area, and I'd like very much to leave this

1 [indicating] with you all. I think there's real
2 close to 200 people that signed it, in the last
3 three days, let's say.

4 I do want to report that, with the help of
5 Senator Shane Martin -- and he happened to be one
6 of the places where we were -- he did get in touch
7 with a young man in Columbia, a Mr. Chuck Claunch,
8 that works with Duke, and he sent some e-mails and
9 arranged for a meeting with Mr. Jim Lancaster here
10 in the Spartanburg area, Mr. Carroll Phillips in
11 the Greenville/Spartanburg area, and Mr. Tom
12 Burgess in this area. And we had a meeting
13 yesterday with them, and I'll be honest with you,
14 it was a very, very fruitful meeting. It's what we
15 have been wanting -- and I say "we." I feel like I
16 owe it to the people that signed this, to bring
17 this to y'all. And I'm also going to bring to them
18 that we did have this meeting and that, at the
19 conclusion of this initial meeting, we were told
20 that our outages and problems would be looked into,
21 and we live in hope that that is the case, and I
22 believe that it is. These are real nice guys, and
23 they are fine, upstanding individuals, and I
24 believe that they will do what they have said that
25 they will do.

1 On the rate increase, usually a raise is given
2 when the services warrant or if a job is well done.
3 And this was all set in motion before this other
4 meeting took place yesterday, and I reserve on
5 that, that if the outages in our area do improve,
6 that I'm going to be good with it. But if they
7 don't, I'd like to wait and see if those things
8 happen, before we would go along with a rate
9 increase in our area.

10 And if I could, if I could leave this with you
11 [indicating].

12 **VICE CHAIRMAN HOWARD:** Yes, if you'll give it
13 to the court reporter, we'll take judicial notice
14 of it.

15 **WITNESS:** I'm sorry?

16 **VICE CHAIRMAN HOWARD:** If you leave that with
17 the court reporter, we'll take judicial notice of
18 it.

19 **WITNESS:** That's fine. Thank you.

20 **VICE CHAIRMAN HOWARD:** Any questions of Mr.
21 Sellars?

22 **MS. REIBOLD:** No questions, Mr. Chairman.
23 Thank you.

24 **VICE CHAIRMAN HOWARD:** Duke Energy?

25 **MS. HEIGEL:** We would just note an objection,

1 for the record, to the petition. We understand the
2 circumstances under which it was drafted, but just
3 for the record, that the signatures haven't been
4 authenticated.

5 **VICE CHAIRMAN HOWARD:** Thank you. Any other
6 questions? Questions, Commissioners?

7 [No response]

8 **VICE CHAIRMAN HOWARD:** You may be excused.

9 **WITNESS:** Thank you.

10 [WHEREUPON, the witness was excused.]

11 **MR. DONG:** Spencer Wilkins.

12 [Witness sworn/affirmed]

13 THEREUPON came,

14 **S P E N C E R W I L K I N S ,**

15 who, having been first duly sworn/affirmed, testified as
16 follows:

17 **WITNESS:** Good evening to you all. My name is
18 Spencer Wilkins, and I appreciate the privilege of
19 discussing this with you all. I didn't get all the
20 information -- I'm getting more information since
21 I've been here. I only got a short telephone call
22 to let me know that it was going on, so I didn't
23 get all the information about what the increase is
24 for. I'm here, trying to find out some of the
25 things. So far, I'm listening.

1 I do own a business out in Cowpens, Easy
2 Living Mobile Home Park, for the last 30 years, at
3 112 Easy Living Drive, Cowpens, South Carolina
4 29330. And most of my -- for the last 30 years, we
5 were able to do well, and companies were in our
6 area. Clients was working and had jobs, but all of
7 that has reversed. At this present time, my income
8 has gone into half. And a lot of the customers
9 that I have are on fixed income, and in the
10 wintertime they do well to pay the power bill, the
11 heat bill.

12 And I don't be -- I live in North Carolina
13 most of the time when I'm not running my business,
14 but I come at least once a week to my business.
15 And in the wintertime my resident business office
16 here is about \$20. I only be here two or three
17 hours one day a week, and my average bill should be
18 about \$20 per month. My bill this month was \$77.
19 And I wrote a check and I put it in the mail, but I
20 put a note in there; I said, "Something has gone
21 far wrong, because I'm not even here." And so it
22 went from \$20 to \$77. And I didn't get no
23 explanation on why it went up. I didn't have the
24 slightest idea. So I said, since I had an
25 opportunity to come and discuss it with you all

1 tonight, I don't see where we -- and I'm agreeing
2 with what has already been said. I don't know
3 where I'm going to get the money to increase from
4 \$20 to \$77. I don't know where I'm going to get
5 that from, when I'm only making half of what I
6 normally make.

7 So my great question is, when you're raising,
8 where are the consumer supposed to get their funds
9 from.

10 **VOICE:** That's right.

11 **VOICE:** Uh-huh.

12 **VOICE:** Amen.

13 **WITNESS:** In other words, the older we are,
14 we're on fixed income, and I've been in the times
15 when I was working, making good money at the plants
16 and all that. I have had that opportunity. Made
17 as much money as Duke Power. I did. I used to
18 make as much money as Duke Power. But we're not
19 doing that now. We're not making -- we're barely
20 staying above water, and some folk are not doing
21 that; some folk getting put out, some folk are out
22 on the street.

23 So I'm not trying to knock nothing down, but
24 when you're trying to get blood out of a turnip,
25 that's pretty hard, and that's -- I'm the turnip,

1 so I can't agree with an increase.

2 So I just agree with what has been said, and
3 I'm going to listen and try to find out more about
4 -- maybe I will be more in favor when I learn what
5 everything is for and what the problem is that you
6 need the increase and what you're doing it for.
7 But at this point -- and then, if you can help me
8 to increase my income. In other words, if my
9 customers are able to pay more, then I know that
10 they could transfer it on over to Duke Power. But
11 at this point, I mean, I don't see where that can
12 happen. Thank you.

13 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Wilkins.
14 ORS, any questions for Mr. Wilkins?

15 **MS. REIBOLD:** No questions.

16 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

17 **MS. HEIGEL:** No questions. I would just refer
18 you, Mr. Wilkins, to Ms. Yarbrough over here, for
19 your billing questions that you raised. Thank you.

20 **WITNESS:** Thank you.

21 **VICE CHAIRMAN HOWARD:** Commissioners?

22 [No response]

23 **VICE CHAIRMAN HOWARD:** Mr. Wilkins, you may be
24 excused.

25 [WHEREUPON, the witness was excused.]

1 **MR. DONG:** Chris Beckman.

2 [Witness sworn/affirmed]

3 THEREUPON came,

4 **C H R I S B E C K M A N ,**

5 who, having been first duly sworn/affirmed, testified as
6 follows:

7 **WITNESS:** My name is Chris Beckman. I live at
8 114 Lemon Creek Drive, in Lyman. I am a
9 residential customer of Duke Power; I am a
10 commercial customer of Duke Power.

11 I've got three fronts. The residential front,
12 I'd really like to adopt Mr. Wilkins' argument. I
13 agree with him 100 percent. The second front,
14 commercial front, I'm in the machine tool industry.
15 I sell machine tools to people like Mr. Pitts.
16 He's probably making his molds on old machinery.
17 That's all we do, is sell machine tools.

18 Those people aren't buying new machines.
19 We're not making any money. I laid off my
20 application department, I let go one of my service
21 guys, let go one of my sales guys. I'm down to one
22 accountant, and I got one office lady. My electric
23 bill is \$1,000 per month. We don't use lights; we
24 just use computers and a desk light. We don't heat
25 the shop anymore. We don't use air in the shop.

1 We use a downstairs heater and open up the doors to
2 heat the upstairs, and it's still \$1,000.

3 Right now we're working ten times as hard for
4 half as much. And being in the machine tool
5 market, it is a world market. My Italian builders,
6 they're down to one day a week. My Japan builders
7 are just working as needed. My German builders,
8 the same. It's not getting any better from them to
9 help our economy. And with a tax -- or, a power
10 increase, there's no way I can afford to keep all
11 my people on staff. The money is just not there to
12 pay.

13 On a third front is, I guess, the technology
14 part. I'm assuming that the rates are going toward
15 the infrastructure, infrastructure being a coal-
16 powered plant. Now, if that is true -- or if I'm
17 wrong -- as far as being [indicating] "clean,"
18 Duke, you're about a quarter of the way they are.
19 The scrubbers is in the right direction, you're on
20 the right road. I lived in Germany. The only
21 smokestacks you see there are from the nuclear
22 power plants. The coal power plants, there is no
23 smokestacks. It's 90 degree elbow pipe, 90 degree
24 elbow, down to another tank. Everything, 100
25 percent recycled.

1 So, if my rates is going to a coal power
2 plant, which I think it is, I highly am ticked off
3 at that. Wind power farm, I would support it.
4 Nuclear power plant, I would support it. But coal
5 power that's not even there where even Germany is,
6 and they've been using that for -- well, I lived in
7 Germany back in the '90s, so that long. It's just
8 a waste of money for a coal power plant that's not
9 operating the way a truly efficient coal power
10 plant that the Germans are using already. Thank
11 you for hearing my complaints.

12 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Beckman.
13 ORS, any questions for Mr. Beckman?

14 **MS. REIBOLD:** No questions.

15 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

16 **MS. HEIGEL:** No questions.

17 **VICE CHAIRMAN HOWARD:** Commissioners?

18 [No response]

19 **VICE CHAIRMAN HOWARD:** Mr. Beckman, thank you,
20 very much.

21 [Applause]

22 [WHEREUPON, the witness was excused.]

23 **MR. DONG:** Jim Cook.

24 [Witness sworn/affirmed]

25 <

1 THEREUPON came,

2 J I M C O O K ,

3 who, having been first duly sworn/affirmed, testified as
4 follows:

5 WITNESS: Thank you, Mr. Chairman and members
6 of the Commission. My name is Jim Cook. My
7 residence is 1114 99 Island Road, Blacksburg, South
8 Carolina. I'm not a Duke customer, a Duke
9 residential customer. I'm the executive director
10 of the Cherokee County Development Board in
11 Gaffney. Our mission is industrial recruitment and
12 retention, and it's our job to attract and keep
13 jobs and companies like that in Cherokee County.

14 When companies are deciding where to relocate
15 or expand, one of the top two or three things or
16 issues that they look at are electricity. They not
17 only look at affordability, but they look at
18 reliability, as well. And they want a provider
19 that is innovative and taking steps to move our
20 energy economy forward.

21 Duke Energy has a proven track record in
22 Cherokee County as a strong business partner.
23 Since the early 1990s, Duke Energy has invested
24 billions of dollars in infrastructure companywide,
25 which will provide us with a continuing source of

1 reliable, affordable, and clean electricity. One
2 of these examples that they've done, without the
3 base rate increase, is the Millcreek industrial
4 facility in Blacksburg, South Carolina. They've
5 also announced the future investment of the Lee
6 nuclear facility. This future investment is
7 important to our jobs and economy in Cherokee
8 County, and we need Duke Energy to be in a strong
9 financial position to go forward with this project.

10 We know prices are rising for everything
11 associated with running a business, and we
12 recognize Duke Energy's cost is rising because of
13 investments that will provide our communities with
14 a continuing source of reliable and clean
15 electricity.

16 Duke Energy's request would align the rates
17 our State's largest businesses pay to more
18 accurately reflect the cost to serve these
19 customers. We feel that this is a fair approach to
20 setting rates. Even though Duke Energy is asking
21 for a base rate increase for some customers, it is
22 not -- it is for the first time in 18 years. In
23 that same time we've seen prices for everything go
24 up significantly. Duke Energy has been able to
25 help us hold the line on expenses and maintain

1 South Carolina's good business climate.

2 If these rates rate changes are approved, our
3 State rates would still be much lower than the rest
4 of the country, so our ability to attract new
5 companies here and keep the ones we have will be
6 protected. Ultimately, we believe this rate case
7 will provide a fair outcome that balances the need
8 of Duke Energy with those of a broader business
9 community. Thank you, very much.

10 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Cook.
11 ORS, any questions of Mr. Cook?

12 **MS. REIBOLD:** No questions, thank you.

13 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

14 **MS. HEIGEL:** No questions.

15 **VICE CHAIRMAN HOWARD:** Commissioners?

16 [No response]

17 **VICE CHAIRMAN HOWARD:** Thank you, very much,
18 Mr. Cook.

19 **WITNESS:** Thank you.

20 [WHEREUPON, the witness was excused.]

21 **VICE CHAIRMAN HOWARD:** Right now we're going
22 to take a ten-minute break and start again at 7:30.
23 Thank you.

24 [WHEREUPON, a recess was taken from 7:20
25 to 7:30 p.m.]

1 **VICE CHAIRMAN HOWARD:** Attorney Dong.

2 **MR. DONG:** The next witness on my list is
3 Bradley Carter. Bradley Carter?

4 **VICE CHAIRMAN HOWARD:** Mr. Carter?

5 [No response]

6 **MR. DONG:** Mr. Carter? Okay. David Tate.

7 [Witness sworn/affirmed]

8 THEREUPON came,

9 **D A V I D T A T E ,**

10 who, having been first duly sworn/affirmed, testified as
11 follows:

12 **WITNESS:** David Tate. 230 Lisa Court, Boiling
13 Springs, South Carolina. Duke customer.

14 I'm not a public speaker. I've got several
15 observations to make. Objecting to names on a
16 petition is right out of the Chicago politics
17 playbook. Not appreciated by the average person.

18 When I was a small child, or, when I was
19 young, there was a company called Duke Power
20 Company, and it was a great company. We hardly
21 ever had problems with outages or anything. They
22 kept the trees cut around the lines. They had Pike
23 Electric working all the time doing that. Now
24 we've got a company called Duke Energy. This is
25 the same company that -- I believe y'all were fined

1 for cheating the people in California, if I'm
2 correct. Is that right?

3 **VICE CHAIRMAN HOWARD:** Don't address -- just
4 go ahead, please.

5 **WITNESS:** Okay. You know, I'm here to object
6 to the rate increase. My boss, my plant manager,
7 was here for the rate increase. You raise energy
8 prices -- we're already not working. I'm down
9 \$30,000 a year. We're already not working. We
10 can't get work, because our customers can't afford
11 to advertise, you know. And you want to raise
12 electric rates, it's going to make it harder for us
13 to bring customers here. Non-unionized, low energy
14 cost, low cost of living is only thing that brings
15 work to South Carolina, you know.

16 I wish I was a public speaker so I could think
17 on my feet.

18 **VICE CHAIRMAN HOWARD:** You're doing a good
19 job.

20 **WITNESS:** Sir?

21 **VICE CHAIRMAN HOWARD:** You're doing a good
22 job.

23 **WITNESS:** Thank you, sir. If my boss were --
24 if we close the plant, he goes back to Chicago.
25 He's got a job. If we close the plant, I don't

1 have a job. Like I say, I'm down \$30,000 a year.
2 People working under me are lucky to get a week out
3 of the month. We can't afford a rate increase
4 right now.

5 My son sitting back there, he made the
6 observation if Duke Energy is for cap-and-trade,
7 what on earth are you doing building a coal-fired
8 plant? That's ridiculous. Ridiculous. You know,
9 I don't understand. And how can the CEO be for
10 cap-and-trade? Does anybody look at the Internet
11 besides me? Has anybody been on the Internet this
12 weekend and seen that the e-mails of the
13 scientists, of the head of the climate change
14 agency in England were hacked, and that they are
15 telling us lies, that they were manipulating the
16 information so that they can get more funding for
17 their projects.

18 You know, I don't understand it. It just
19 seems -- seems like Duke Energy's part of the
20 federal government now, because they're working
21 hand in hand.

22 I guess that's all I got to say. I thank you,
23 Commissioners, again, for having me, and I hope
24 y'all have a wonderful Thanksgiving.

25 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Tate.

1 Let's see if ORS has any questions of Mr. Tate.

2 MS. REIBOLD: No questions, Mr. Chairman.

3 VICE CHAIRMAN HOWARD: Duke Energy Carolinas?

4 MS. HEIGEL: No questions.

5 VICE CHAIRMAN HOWARD: Commissioners?

6 [No response]

7 VICE CHAIRMAN HOWARD: Mr. Tate, thank you
8 very much for coming.

9 WITNESS: Thank you, sir.

10 [WHEREUPON, the witness was excused.]

11 MR. DONG: Did I see Mr. Carter? Would you
12 like to speak, sir?

13 [Witness sworn/affirmed]

14 THEREUPON came,

15 B R A D L E Y C A R T E R ,

16 who, having been first duly sworn/affirmed, testified as
17 follows:

18 WITNESS: My name is Bradley Carter. I live
19 at 8 Summer Court, Spartanburg, South Carolina.

20 I, like several people before me, feel that
21 this rate hike is not necessary right now. If, in
22 fact, Duke Energy has received stimulus money from
23 the government, that should be enough to cover any
24 expansions, new plants, infrastructure changes,
25 that they wish to make.

1 I myself am unemployed. I'm going back to
2 school. This is a wonderful thing for me, reason
3 being because manufacturing is leaving South
4 Carolina. Businesses aren't coming to South
5 Carolina; businesses are leaving South Carolina.

6 I have been affected by several layoffs
7 because companies have decided to move their
8 businesses elsewhere in the country. I keep
9 hearing that South Carolina has low energy rates.
10 Well, if that's the case and that's supposed to
11 attract business, then why are more and more
12 manufacturing companies closing up shop in South
13 Carolina and moving that to production in Kentucky,
14 Oklahoma, California, Nebraska? Those are just
15 four, to name examples.

16 I believe that this rate hike is unjustified.
17 I believe that it comes at a poor time when South
18 Carolina is one of the leaders in the nation in
19 unemployment. If you can't -- if people can't keep
20 a job in order to pay their electric bill, what's
21 the point of raising rates?

22 **VOICE:** Yeah.

23 **VOICE:** Amen.

24 **WITNESS:** You have more people not being able
25 to pay their bills. Okay. Duke Power's losing

1 some money in that. Doesn't it seem rational that
2 you should work to try to get people back into
3 jobs, so that they can pay the rates you have now?
4 And then, once people are back on their feet, maybe
5 then say, "Well, we'd like to increase our rates a
6 little bit because we've been operating at a loss
7 to help get people back into jobs, to keep them
8 meaningfully employed, to where, instead of paying
9 the water bill one month and their energy bill the
10 next month, they're able to pay all their bills
11 every month."

12 We're in a recession, people. It means
13 everybody, from the lowest citizen to the president
14 of the United States, needs to tighten up a little
15 bit and start looking at, "How can I help my fellow
16 American to be able to pay for what they need,"
17 instead of, "How can I help myself to get something
18 else that I want?" We have people going without
19 power because they simply can't afford to pay it.
20 I, myself, along with my wife, keep our house at
21 roughly 64 degrees during the winter. We do this
22 to save on electricity. In the summer, we let it
23 go up to 75, 76, again, to save money on energy.
24 Why are we having to save money on energy? Because
25 the rates are going up. Because we don't have the

1 money to pay these increased rates. So if I want
2 to keep my bill the same, that means that I either
3 have to walk around in a pair of shorts during the
4 summer or two or three sweatshirts during the
5 middle of winter. I don't really feel that I
6 should need to do that in my own house. If I'm
7 going outside, okay, fine. I can't change what God
8 puts down here, but I can change my own thermostat.
9 And if I'm making a conscious decision to be cold
10 in my own house during the winter, then that says
11 something about we're paying too much for
12 electricity.

13 **VICE CHAIRMAN HOWARD:** Does ORS have any
14 questions of Mr. Carter?

15 **MS. REIBOLD:** No questions, thank you.

16 **VICE CHAIRMAN HOWARD:** Duke Energy, any
17 questions?

18 **MS. HEIGEL:** No questions.

19 **VICE CHAIRMAN HOWARD:** Commissioners.

20 [No response]

21 **VICE CHAIRMAN HOWARD:** Mr. Carter, thank you
22 very much for coming.

23 [Applause]

24 [WHEREUPON, the witness was excused.]

25 **MR. DONG:** Para Jones.

[Witness sworn/affirmed]

THEREUPON came,

P A R A J O N E S , P h . D . ,

who, having been first duly sworn/affirmed, testified as follows:

WITNESS: My name is Para Jones. My home address is 155 East Broad Street, in Spartanburg. My business address is Brisack Road, in Spartanburg.

Good evening, and thank you for allowing me to speak on behalf of Spartanburg Community College and many people who have benefited from an aspect of Duke Power, Duke Energy, that is called the Advance SC program, funded through the bulk power marketing sharing program.

And what I would like to say -- I understand that rate hikes are very hard on people and, frankly, I come from the State of Ohio -- I bet nobody could tell that by my accent -- where we do have electric power companies that don't give back in terms of funds to help with economic development. And so there's an aspect of the Duke Energy business that I think deserves some recognition, and that is this Advance SC funding.

Since its inception in 2004, the Advance SC

1 program has actually awarded more than \$51 million
2 in grants that have benefited residents and
3 employers through economic development initiatives
4 in the Upstate.

5 In my particular area of interest, which is
6 education, Advance SC has provided more than \$14
7 million in grants to improve the lives of citizens.
8 Specifically, Spartanburg Community College has
9 received grants totaling about \$2.5 million, and
10 we've used these grants to provide training
11 programs to individuals who are looking to retrain
12 for new jobs, individuals who work in manufacturing
13 companies and have to be retrained so their
14 companies can remain competitive. And these are
15 companies throughout the areas of Cherokee,
16 Spartanburg, and Union Counties.

17 Again, we are still receiving a lot of
18 benefits in terms of projects we are able to
19 provide to individuals and companies. But so far,
20 we have been able to impact 758 new and retained
21 jobs through the Advance SC program, as well as job
22 enhancements for about 130 individuals. In the
23 next several months alone, we plan to train about
24 600 workers in manufacturing skills certification
25 programs for new job openings in the area. And

1 again, I know the times are very tough, and many
2 people are hurting, but these are some of the
3 benefits I think are worth noting at this time.

4 And again, some of the impacts have been
5 expanded apprenticeship programs, especially during
6 tough economic times, and these are the kinds of
7 programs that help people get jobs. We've also
8 been able to help manufacturing companies improve
9 their own training programs, and the bottom line,
10 we are making the workforce a little more
11 competitive through state-of-the-art training in a
12 lot of new areas, such as hybrid automobiles,
13 programmable controls, and robotics, as well as
14 renewable energy and green technology.

15 So overall, Advance SC funds have provided
16 Spartanburg Community College with opportunities to
17 benefit students, businesses, and the community
18 primarily through expanded workforce training
19 programs, but also through state-of-the-art
20 technical equipment that we're able to use in our
21 laboratories, and programs to help increase worker
22 productivity, so the overall benefit truly is
23 economic development for the region.

24 Thank you for allowing me to testify.

25 **VICE CHAIRMAN HOWARD:** Thank you, Dr. Jones.

1 ORS, any questions for Dr. Jones?

2 **MS. REIBOLD:** No questions.

3 **VICE CHAIRMAN HOWARD:** Duke Energy?

4 **MS. HEIGEL:** No questions.

5 **VICE CHAIRMAN HOWARD:** Commissioners, any
6 questions?

7 [No response]

8 **VICE CHAIRMAN HOWARD:** Dr. Jones, thank you
9 for coming.

10 **WITNESS:** Thank you.

11 [WHEREUPON, the witness was excused.]

12 **MR. DONG:** Peggy West.

13 [No response]

14 **VICE CHAIRMAN HOWARD:** Peggy West?

15 [No response]

16 **MR. DONG:** Lawrence Bateman.

17 [Witness sworn/affirmed]

18 THEREUPON came,

19 **L A W R E N C E B A T E M A N ,**

20 who, having been first duly sworn/affirmed, testified as
21 follows:

22 **WITNESS:** My name is Lawrence Bateman. I live
23 at 355 Kellie Lane Drive, in Spartanburg, 29301.
24 And I want to thank you, very much. I am a Duke
25 customer, and I appreciate the opportunity to be

1 here before council, Chairman, and you
2 Commissioners, and thank you for coming all the way
3 to Spartanburg to hear testimony this evening. We
4 appreciate that very much.

5 I can't help but be filled with pride as,
6 after a disaster, you watch the power trucks going
7 down the road and seeing people go to help people
8 that are in distress and in trouble. And we
9 certainly are proud of Duke Energy for the part
10 that they play in being able to help people that
11 are in distress, not only here but in other states,
12 as well, to go there and do that. It's a great
13 company and we appreciate them being here in the
14 Carolinas to serve us and to look after us, and we
15 are grateful for that.

16 I am impressed with the testimony of the Duke
17 Energy chairman, president, and CEO, Jim Rogers,
18 who testified before the US Senate and made these
19 kinds of comments: Quote, "I am also here to
20 advocate for the tens of millions of electricity
21 customers in the 25 states where more than 50
22 percent of their electricity is generated using
23 coal. To address climate change, we must have a
24 bridge to a low-carbon economy. To cross that
25 bridge, I have advocated for many years that we

1 need an economywide cap-and-trade program for CO₂."
2 So the CEO is solidly behind cap-and-trade and
3 wants to go there and is pushing for that.

4 I am amazed that Duke Energy is the nation's
5 third largest coal generator, and yet, they propose
6 to do stuff in the nuclear realm but are spending a
7 lot of time on coal, and apparently, if it goes the
8 way the administration would have it and the way
9 some people in the world want it, coal will become
10 a non-energy-source. Whether or not we get there
11 or not, I don't know, but we're concerned about
12 energy in my community.

13 I'm the president of West View-B Precinct Club
14 of the Republican Party. We organized to become
15 involved in our community and to be active in
16 engaging our community, and folks like yourselves,
17 in our County, our State, and our nation. And we
18 want to see some things different, and we are
19 excited about being a part of that and we've seen
20 some marvelous things happen over this year as we
21 have engaged our community and our culture.

22 We're very much disturbed about the things
23 that we see in our area with our country, with over
24 10 percent unemployment and with our State at over
25 12 percent unemployment. And in reality,

1 Spartanburg is over 26 percent unemployment. And
2 kudos to the folks that have come here and said
3 that they're trying to help folks to get jobs and
4 to promote economic development, and that's all
5 great and good, but the reality is that in the
6 Upstate there's a hurting mass of people. A
7 hurting mass of people that Duke needs to be caring
8 about just as much as they do when there's a great
9 tragedy and they're shipping trucks out other
10 places to help people with manpower and with
11 equipment to relieve them. They need to address
12 what we're facing today.

13 My wife and I live in a home where our monthly
14 bill with Duke Power was programmed to be, on a
15 monthly basis, \$80 a month for the last year.
16 That's really good, isn't it? You'd be proud to
17 have a power bill like that, wouldn't you? But I
18 just got a notice and it says, "Hey, you win, Mr.
19 Bateman and Ms. Bateman. Your new amount will be
20 \$95 a month." And on the heels of that, what do we
21 hear about? We hear about we want a tax -- I mean,
22 a rate increase. "We want some more." And just
23 think about, what am I supposed to tell Ms. Bateman
24 if we have -- cap-and-trade goes down, and I have
25 an electric bill that's \$180 a month? Two people

1 just entering Social Security as our sole means of
2 income. How are we supposed to handle that? How
3 would you handle that? Some of you aren't too far
4 away from that, are you? Maybe you need to be
5 thinking about decisions that you make. Because
6 we've paid taxes throughout our lives and invested
7 in our community and tried to help people and
8 ministered to them over the years, and now we're at
9 a place where somebody needs to take up the slack
10 for us. And what does government say? They say,
11 "Well, no Social Security increase for you, but
12 we're going to increase taxes and we're going to
13 increase this and that." And these are things you
14 ought to be concerned about and be thinking about.

15 I go back to Jim Rogers' testimony before the
16 Senate. And he said, "Forcing customers in these
17 regions to bear the cost of buying allowances for
18 existing plants, while at the same time bearing the
19 cost of retrofitting and replacing existing plants,
20 would result in a double hit, paying twice for the
21 bridge." The man kind of gets it, doesn't he? You
22 know, wouldn't be right for people to pay twice for
23 the bridge.

24 And so, I'm kind of puzzled here for a minute.
25 Help me now. We're talking about decoupling, so we

1 decrease the supply of energy and the sales of
2 energy, but we establish a baseline for revenue, so
3 we've got income that's coming in, so whether you
4 use it or not, hey, Duke Energy, "We're going to
5 get our money." And then they apply to the
6 government and they say, "Hey, we need \$200 million
7 here," and guess who's got to pay for that?

8 **VOICE:** Amen.

9 **WITNESS:** These folks here, and me. We've got
10 to pay for that. And here comes the double hit.
11 Now we're going to have increased taxes to be able
12 to pay for that, and we're getting a triple hit
13 with a rate, saying, "Hey, we need more money."

14 **VOICE:** Uh-huh.

15 **WITNESS:** So, gentlemen, it's a bridge too
16 far. And somebody needs to stand up and say, "Hey,
17 we need to put a stop to this." The people in this
18 State, and this County, are suffering now and going
19 through a difficult time, and they need some
20 relief.

21 I would just appeal to you, going back to Jim
22 Rogers' testimony again, with his close he said,
23 "When faced with difficult decisions" -- I commend
24 this to you, for your consideration. "When faced
25 with difficult decisions, I try to apply the

1 grandchildren's test. I look at my grandchildren
2 and ask myself, 'Will the actions I take today
3 create a better life for them and their children
4 tomorrow?'" That's a commendable test, isn't it?
5 That's the kind of test we all ought to take every
6 day. I have two children and I have seven
7 grandchildren, and gentlemen -- and one wife -- and
8 gentlemen, the test is this: What will we do to
9 maintain sanity in our energy policy and in our
10 government structure so that we the people are
11 served, and it's not the people that are up there
12 that are served and the populace gets reamed out.

13 So I appeal to you to make the wise choice and
14 to vote against the rate increase and to do all
15 that you can in your power to please look out for
16 the vote. We appreciate it. I thank you for the
17 opportunity to testify before you and to share.
18 Are there questions?

19 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Bateman.
20 Does ORS have any questions for Mr. Bateman?

21 **MS. REIBOLD:** No questions, Mr. Chairman.

22 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas?

23 **MS. HEIGEL:** No questions.

24 **VICE CHAIRMAN HOWARD:** Commissioners.

25 [No response]

1 **VICE CHAIRMAN HOWARD:** Mr. Bateman, thank you,
2 very much.

3 **WITNESS:** Thank you.

4 [Applause]

5 [WHEREUPON, the witness was excused.]

6 **MR. DONG:** Dale Hines.

7 [Witness sworn/affirmed]

8 THEREUPON came,

9 **D A L E H I N E S ,**

10 who, having been first duly sworn/affirmed, testified as
11 follows:

12 **WITNESS:** Good evening. My name is Dale
13 Hines. I reside at 388 Lancaster Road,
14 Spartanburg. ZIP Code 29306. That is in the
15 Pauline vicinity, if you will.

16 And I'm here tonight because of the service
17 that we have gotten as a family and as a
18 neighborhood for the last 22 years with Duke
19 Energy. And I'd like to tell you a story, and I'd
20 also like to certainly couple this with Mr.
21 Sellars' testimony and the petition that he
22 presented, is because we all went out -- and they
23 did most of the legwork, speaking of Mr. Sellars --
24 to contact our neighbors, because we are very
25 dissatisfied with the service that we're receiving

1 from Duke Energy. And the only response that I've
2 gotten from Duke Energy is talking with you guys
3 tonight.

4 And this story I will tell you happened 18
5 months ago. I came home one evening. The power
6 had gone out because a limb had fallen, had broken
7 a wire. It was 5 o'clock in the evening. So I
8 called Duke Energy. And, of course, I talked with
9 a customer service rep on the phone, and they said,
10 "Stay away from the wire." The wire is not hot.
11 And I said, "We'll do that." We had a couple of
12 dogs, and we have a dog run, so we let them out.
13 And they said, "We'll have someone come out," you
14 know 8:30 -- it's kind of -- I think on their
15 customer service, you get a pretty canned response
16 saying, "You'll have power back on at 8:30," 9
17 o'clock, or something.

18 Well, about 8:30 that evening, with the line
19 down and nobody there, our power comes back on,
20 okay? And it surges, and then we lost power at the
21 house but the line stayed hot. And as a result of
22 that, I had a couple of animals that were
23 electrocuted. My wife, thank the good Lord, she
24 was not electrocuted, because she let the dogs out
25 at the run, and that wire stayed hot until Duke

1 Energy's crew got there at 11:30 that night.

2 I called 911, because I didn't know who else
3 to call, and told them what was going on. Now, I'm
4 not blaming Duke Energy for the death of my dogs or
5 the almost disastrous death of my wife. What I
6 complained about when I talked to the crew, I said,
7 "Look, something is wrong with the system." I
8 said, "Why didn't the breaker on the pole kick off?
9 Who turned the power back on?" After you report,
10 isn't it a cardinal sin when you report a live wire
11 down?

12 **VOICE:** Yes, it is.

13 **WITNESS:** And my neighbor is an attorney who
14 wrote a letter -- not a lawsuit, not asking for
15 awards or judgment -- to Duke Energy, and they sent
16 back a response, "Were sorry about your loss, but
17 we can't help you."

18 And we have dealt with issues like this for
19 20-something years. When the wind blew, in years
20 past, the power would go out. The Pauline
21 Community, power would go out. We had power out
22 about -- I believe we had an ice storm, and I don't
23 remember, it was five years ago, six years ago,
24 that the power went out, and it was a devastating
25 storm. So, you know, acts of God, I know you guys

1 can't control, and I understand that. Seven days,
2 we were without power. Everybody around us had
3 power within three days, five days. We had to call
4 and call and call. On the seventh day, a crew came
5 out behind my neighbor's house. It took them 12
6 minutes to turn the power on. 12 minutes.

7 You guys ask for a rate increase. Where I
8 come from and with my employer, when you do a good
9 job you get a raise. When you don't, you don't get
10 a raise. Sometimes you just have to do more with
11 less.

12 You guys are Public Service Commission. Mr.
13 Chairman, Commissioners, you are our voice. You
14 are all that we have. I would not be here tonight
15 other than the fact that nobody else would listen
16 to me. Now, if I were getting good service,
17 obviously, I would not be here.

18 There's a couple of things I would like to do.
19 Across the street we live -- probably 200 yards
20 behind my house, my neighbors are on your
21 competitor's lines. They seem to never go out.
22 All we ask -- someone -- the first gentleman that
23 spoke said you spend \$1 billion on infrastructure.
24 I have not seen a Duke Power truck. I've seen Pike
25 Electric. I haven't seen anybody replacing poles,

1 I haven't seen anybody replacing wires. All I've
2 seen is them taking an out-of-date system and
3 repairing it, and all you're doing is being
4 reactive; you're not being proactive.

5 And as a customer, a Duke customer, all I ask
6 is that you hear my words, and please just have our
7 community -- have someone pay attention to that.
8 It took the work of a State senator, and we all
9 passed around a petition for over 150 signatures.
10 We didn't go out there and get somebody to sign
11 that because we just wanted to have somebody sign
12 it. Our neighbors are concerned. So I hope that
13 you hear my voice. Thank you.

14 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Hines.
15 ORS, any questions for Mr. Hines?

16 **MS. REIBOLD:** No questions, Mr. Chairman.

17 **VICE CHAIRMAN HOWARD:** Duke Energy, any
18 questions of Mr. Hines?

19 **MS. HEIGEL:** No questions.

20 **VICE CHAIRMAN HOWARD:** Commissioners.

21 [No response]

22 **VICE CHAIRMAN HOWARD:** Mr. Hines, thank you,
23 very much.

24 **WITNESS:** Thank you.

25 [WHEREUPON, the witness was excused.]

1 **MR. DONG:** Charles Landen.

2 [Witness sworn/affirmed]

3 THEREUPON came,

4 **C H A R L E S E . L A N D E N ,**

5 who, having been first duly sworn/affirmed, testified as
6 follows:

7 **WITNESS:** My name is Charles Landen. I live
8 at 102 Oakwood Drive, in Lyman 29365.

9 And I'm here not so much to protest the raise
10 as it is in there, but for the amount at one time.
11 I live on retired military pay and Social Security.
12 I put 28 years in the military.

13 [Applause]

14 **WITNESS:** Thank you. I've been retired 26
15 years. But my point is, we had no raise for Social
16 Security this year, which consequently, my
17 retirement pay doesn't go up either, because the
18 cost of index -- the cost index didn't go up, so
19 that stays the same. And here I am having trouble
20 to maintain a household for my wife and myself on
21 about \$3,500 a month. It may seem a lot to a lot
22 of people. It's not a lot to many people.

23 And we've got others out here that have got to
24 get their prescriptions and all that. I'm
25 fortunate; I've got the military to back me up a

1 little bit. But how can you not get a pay increase
2 and then support an energy increase? Something
3 doesn't add up too much. And I support the others
4 that have spoken before me, as to what they have
5 said. Thank you.

6 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Landen.
7 ORS, any questions?

8 **MS. REIBOLD:** No questions, Mr. Chairman.

9 **VICE CHAIRMAN HOWARD:** Duke Energy Carolinas,
10 any questions?

11 **MS. HEIGEL:** No questions.

12 **VICE CHAIRMAN HOWARD:** Commissioners?

13 [No response]

14 **VICE CHAIRMAN HOWARD:** Mr. Landen, thank you
15 very much for coming.

16 [WHEREUPON, the witness was excused.]

17 **MR. DONG:** T.S. Miller.

18 [Witness sworn/affirmed]

19 THEREUPON came,

20 **T . S . M I L L E R ,**
21 who, having been first duly sworn/affirmed, testified as
22 follows:

23 **WITNESS:** I'm T.S. Miller. I live at 111
24 Bedford Road, in Spartanburg, in Vanderbilt Hills,
25 and I appreciate the opportunity to be here.

1 And I'm against this raise that Duke is asking
2 for, and the reason I'm against it is I can't call
3 down there and get no service out of them. And I
4 wanted the trees trimmed on my street one year, and
5 I called and I asked for the chief executive
6 officer's number and they wouldn't give it to me.
7 But -- I'm just a high school graduate, but I'm not
8 too dumb, either. And I just hung up and called
9 the stock market; they gave me his name and
10 telephone number, and I called him. Next morning,
11 supervisor was knocking on my door at 8 o'clock
12 sharp. He said, "What can I do for you, Mr.
13 Miller?" I said, "Please trim them trees. I'm
14 tired of my lights going out every time we have a
15 storm." So a couple years ago -- I don't care now
16 if they do go out -- I got me an 8,000 watt
17 generator. I worked for the telephone company 40
18 years. I do my own wiring. And I cut me a 200 amp
19 disconnect in. I got it all ready and got my
20 electrician to come out. I could, but I didn't
21 want to do it in the meter. I had 3-and-aught on
22 there. He said, "You don't need this big." I
23 said, "That's what I want." And the least
24 resistance, the more current you get. And I wired
25 a house in Greenville, and they are tough. And the

1 man said, "You overdid it," and the man said, "No,
2 we didn't."

3 But what I'm saying is -- and these people out
4 here never have thought of this, and I don't think
5 you have either. Have you ever seen all of these
6 streetlights burning 24 hours a day, seven days a
7 week, 365 days a year? I think that these
8 employees can call a dispatcher, she can log that
9 light, that pole, and give it to that contractor
10 and let him put those lights out, don't you -- I
11 believe you could cut down on one generator. And I
12 called -- I went out to Floyd's Bar-B-Q July 4th,
13 and I -- that's off Carolina Country Club Road.
14 When I came back up Canaan Road, I was just looking
15 at all of the trees grown up in those wires. I
16 went down there about the first or second week in
17 July, and went down to Beaumont Avenue and told
18 them about it. Well, I went by there while ago
19 before I got up here -- I just wanted to see if
20 they'd done anything about it -- no, they haven't
21 done nothing. Now, those lights can go out and it
22 may be a week before they get them back up.

23 And I worked for the telephone company 40
24 years, and when I go down the street, I write that
25 streetlight down and that pole. When I get 10 or

1 15 of them, I go down to Beaumont. Ain't no use to
2 call them, because nobody's going to listen to you.
3 And every once in a while, I'd see them put them
4 out. And a Pike man, he was putting out one, and I
5 turned in, and I said, "Well, now, there's another
6 one. Just come on by." "I don't have a ticket on
7 that one."

8 When I went in to work on your telephone, if
9 you said, "Well, I've got another one over here.
10 Would you look at it?" I would look at it, and I'd
11 make -- when I called my dispatcher, I would tell
12 them and they'd make a ticket out. Now, they can
13 do that, too.

14 And we're trying to save fuel in our trucks
15 and all, why would he have to go back out there?
16 He could've gone down there, called in, and made a
17 ticket on it. All you got is that little old thing
18 on the top, keeping that light burning. And I
19 think you could -- oh, and another thing what I
20 don't like Duke doing, is sending me these letters
21 saying, "We will send somebody out there and go
22 over your house and tell you how to save energy."
23 I think they ought to be looking around their own
24 front door before they try to tell me how to save
25 energy. I know how.

1 **VOICE:** Good point.

2 **WITNESS:** And I called them about Nash
3 Electric down here, right off of Union Street. His
4 service coming in there has got limbs hanging down
5 on it. "Tell him to cut the limbs off of it." I
6 said, "He doesn't have a tree trimmer." And
7 they're still on there. That's what gets me. Nash
8 Electric, down there.

9 I got me a generator. They can go off all
10 they want to now. I got a 8,000 watt, and I can
11 put it on -- I can go throw my 200 amp disconnect I
12 cut, and turn them on. When it comes back on, I'll
13 cut the generator off and throw it back on. I got
14 tired of calling them.

15 **VOICE:** You'll still get a bill.

16 **WITNESS:** Huh?

17 **VOICE:** Even though you disconnect it, you'll
18 still get a bill.

19 **WITNESS:** Do what?

20 **VOICE:** You'll still get a bill from Duke.

21 **WITNESS:** I appreciate you letting me speak
22 today.

23 **VICE CHAIRMAN HOWARD:** Well, thank you, very
24 much. Does ORS have any questions of Mr. Miller?

25 **MS. REIBOLD:** No questions.

1 **VICE CHAIRMAN HOWARD:** Duke Energy?

2 **MS. HEIGEL:** No questions.

3 **WITNESS:** I think if I was going to trim them
4 trees out on Canaan Road --

5 **VICE CHAIRMAN HOWARD:** Thank you.

6 **WITNESS:** If they're going to trim those trees
7 -- and they cut out some, and whenever they have to
8 bring all these crews in and pay all this overtime
9 and feed them and put them up, I think they'd be
10 saving money. Here they want a 12-points-something
11 increase.

12 **VICE CHAIRMAN HOWARD:** Just a minute, Mr.
13 Miller. Commissioners, any questions?

14 [No response]

15 **VICE CHAIRMAN HOWARD:** Mr. Miller, thank you,
16 very much.

17 [WHEREUPON, the witness was excused.]

18 **MR. DONG:** Angela Stein.

19 [Witness sworn/affirmed]

20 THEREUPON came,

21 **A N G E L A S T E I N ,**
22 who, having been first duly sworn/affirmed, testified as
23 follows:

24 **WITNESS:** My name is Angela Stein. My address
25 is 319 Bulls Road, Taylors, South Carolina 29687.

1 I've been a Duke Power customer for about 30 years.

2 And I'd like to say -- start out by saying
3 that I don't have any problems with Duke Power's
4 service. Nobody's service is perfect, and, you
5 know, Duke Power has been a good power company as
6 far as that's concerned. But what I do have an
7 issue with tonight is, I stand here and I am the
8 voice of the impoverished. I'm the voice of the
9 single mom, I'm the voice of the fixed income, I'm
10 the voice of the unemployed, I'm the voice of the
11 part-time worker. I am their voice tonight. And
12 I'm standing here tonight to let you know that I
13 think Duke Power needs to find another way to meet
14 their needs the way that we have to find to meet
15 ours, okay?

16 I feel like Duke Power has enough money. They
17 have millions of customers, the residential,
18 commercial customers. You're getting plenty of
19 money. I'm sure you're doing very well --
20 employees and the business alike. Albeit people
21 like me, I struggle. Every month my power bill is
22 a month behind, okay? Because I can't already pay
23 my power bill now.

24 I work at a part-time job. I was employed.
25 Thank God I did find a part-time job. Trust me, I

1 looked everywhere for a full-time job. There was
2 not one available, okay? I'm having a difficult
3 time now. Me, other the people I know, other
4 ladies that I know, other individuals that I know
5 that are on fixed incomes, that have no income and
6 so on and so forth.

7 Now, what I propose is this: I think that
8 Duke Power needs to look for other resources for
9 power, maybe such as solar, wind, hydroelectric.
10 They need to look for a cleaner source of
11 electricity instead of raising rates, and, you
12 know, I'm kind of like everybody else, I don't
13 really know a lot about the cap and all that stuff.
14 What I do know is what's important and that is
15 hitting our pocketbook, okay? We're already
16 struggling to make it. I, personally, me, myself,
17 I have to -- I'm on food stamps, okay? I have to,
18 in order to be able to make it. And if you raise
19 my rates, I won't have power, because I won't be
20 able to afford it.

21 And so I'm standing here tonight to speak up
22 for everybody else, not just for myself. And what
23 I also would like to say is, there's people -- I
24 don't know if y'all remember a couple years ago, a
25 lady in South Carolina died, an elderly lady,

1 because she couldn't afford her power. Her power
2 was cut off and she froze to death. I don't know
3 if anybody remembers that, but I do.

4 **VOICE:** I do.

5 **VOICE:** Yeah.

6 **WITNESS:** And, you know, there's plenty of
7 people out there, elderly people, sick people,
8 people on fixed incomes -- we can't afford a rate
9 increase. And quite honestly, I'm shocked that
10 y'all would ask for one. Considering I know the
11 money that you're already taking in from
12 residential and commercial businesses, and I cannot
13 believe that they would ask -- especially for a 12
14 percent increase. I mean, me personally, I find
15 that very hard to swallow.

16 And I would ask everybody to please reconsider
17 the rate increase, because as people have stated
18 before me, now is not the time to come forth and
19 ask for a 12 percent rate increase. Not when
20 everybody's hurting. Well, not everybody's
21 hurting, but a lot of us are hurting. And I would
22 like for you to please consider, you know, what
23 I've said. Not just for myself, but for all the
24 other people that I stand here and speak for.

25 **VICE CHAIRMAN HOWARD:** Thank you, Ms. Stein.

1 Just a minute. Any questions from ORS?

2 MS. REIBOLD: No questions, Mr. Chairman.

3 VICE CHAIRMAN HOWARD: Duke Energy Carolinas?

4 MS. HEIGEL: No questions.

5 VICE CHAIRMAN HOWARD: Commissioners.

6 [No response]

7 VICE CHAIRMAN HOWARD: Ms. Stein, thank you
8 very much for coming.

9 WITNESS: You're welcome.

10 [Applause]

11 [WHEREUPON, the witness was excused.]

12 MR. DONG: Diane Elders.

13 [Witness sworn/affirmed]

14 THEREUPON came,

15 D I A N E E L D E R S ,

16 who, having been first duly sworn/affirmed, testified as
17 follows:

18 WITNESS: I'm Diane Elders. 2071 Edwards Lake
19 Road, Greer.

20 And I come here about like the rest of them.

21 I'm protesting, you know, the rate increase,

22 because I'm a pastor's wife and there's churches

23 having to let go staff, or cut back part-time, and

24 redo their budgets and all to cut back to still

25 have church, and still trying to help the poor

1 people. We've got people in our churches, you
2 know, that comes, and they come to get food, and
3 you get phone calls, and you know, we've got the
4 elderly that's real poor and sick, with a lot of
5 medicine. And this right here is going to hurt
6 tremendously. And there's a lot of jobs, you know,
7 about like the small businesses, that this can
8 throw them over. And look at Christmastime. You
9 know, people puts up their Christmas decorations,
10 and usually -- I used to, when I had kids at home,
11 and I might put up a Christmas tree and I might
12 burn it two or three days, but my power bill goes
13 way up, just like anybody else's, for some reason.

14 But, you know, with the cap-and-trade that
15 y'all are going to sponsor, that's going to drive
16 our power bill up 50 percent more, and that's going
17 to cost jobs to, you know, go away. More
18 unemployment. More people trying to find jobs.
19 And there are not going to be any jobs. And you
20 have me to put my hand on the Bible. Well, how
21 about y'all? You know, one day you're going to
22 have to stand in front of God --

23 [Applause]

24 **WITNESS:** -- for what you're doing to his
25 people. And I hope and pray y'all are part of

1 God's people.

2 But we all can work together, and that's what
3 I'm asking you to do, for all the poor, because,
4 you know, there's a lot of people here dressed
5 up fine. You look good on the outside, but
6 the inside, what is this doing when you know
7 that there's going to be people without food?
8 There might be people that will freeze to death.
9 That would be on your all's conscious. That would
10 be the blood on your all's hands, so I would ask
11 you not to increase, and vote no on the cap-and-
12 trade --

13 **VOICE:** Yes.

14 **WITNESS:** -- because we are for the love of
15 people. Now, you might look like you're going to
16 sleep or you've heard this over and over, but,
17 please, listen to us.

18 **VOICE:** Yeah, the majority.

19 **WITNESS:** Because, you know, there's been some
20 for it, but there's been more here against it --

21 **VOICE:** That's right.

22 **WITNESS:** -- than for it. And so let the
23 majority -- when you see sincere people -- rule.
24 And thank you.

25 **VICE CHAIRMAN HOWARD:** Thank you, Ms. Elders.

1 Any questions for Ms. Elders from ORS?

2 MS. REIBOLD: No questions, Mr. Chairman.

3 VICE CHAIRMAN HOWARD: Duke Energy, any
4 questions?

5 MS. HEIGEL: No questions.

6 VICE CHAIRMAN HOWARD: Commissioners, any
7 questions?

8 [No response]

9 VICE CHAIRMAN HOWARD: Ms. Elders, you may be
10 excused, and thank you for coming.

11 [Applause]

12 [WHEREUPON, the witness was excused.]

13 MR. DONG: Dick McClellion.

14 [Witness sworn/affirmed]

15 THEREUPON came,

16 D I C K M c C L E L L I O N ,

17 who, having been first duly sworn/affirmed, testified as
18 follows:

19 WITNESS: Dick McClellion, 603 Savannah Drive
20 -- 602 Savannah Drive, Anderson, South Carolina. I
21 am a Duke customer and been a loyal Duke customer,
22 I guess, all my life.

23 I used to live near the Lee steam plant in
24 Pelzer. But over the last 30 years, I've been
25 living in Anderson and have been in the real estate

1 business in Oconee and Pickens County. And I just
2 noted something that I hadn't been able to get any
3 kind of good answer for, and I just wondered if the
4 Commission -- Mr. Chairman and members of the
5 Commission, I appreciate you allowing me to speak.
6 I really haven't been able to get any kind of good
7 answer for the question, and the question is:
8 1964, the Public Service Commission gave Duke a
9 rate increase basically to build Lake Keowee and
10 Jocassee. And they used that -- basically then it
11 was \$40 million. They let them -- y'all let them
12 float bonds, 4-1/2 percent, and they used those
13 bonds to buy land on Lake Keowee. They started a
14 corporation called South Carolina Land & Timber,
15 and they bought over 100,000 acres in Oconee and
16 Pickens County.

17 This 100,000 acres -- they only needed 18,000
18 acres for the lakes. This South Carolina Land &
19 Timber, later the name was changed to Crescent
20 Resources, and it was later changed to Crescent
21 Resources, LLC. And, of course, Crescent
22 Resources, LLC, in 2005 was sold 50 percent to
23 Morgan Stanley. All this is from information I get
24 off the Internet.

25 In 2006, after the sale, it looks like that

1 Crescent Resources, LLC, has filed bankruptcy.
2 They were supposed to be worth \$6.5 billion
3 dollars, but all Duke got was \$1.2 billion. They
4 got all the money received after the loan from the
5 Bank of America -- Duke got all the money from the
6 loan of Bank of America, off the loan proceeds.
7 And now, Crescent Resources is in a bankruptcy
8 action.

9 My question and my problem is, all that wealth
10 was created by the Commission, and I'm just
11 wondering if did the ratepayers get full value for
12 what they created by giving -- back then y'all also
13 gave them a temporary 18 percent increase, and I
14 think it was later reduced down to about a 13
15 percent increase, on any money that they spent for
16 Lake Keowee, which was around \$700 million, of
17 which \$40 million was for real estate. And what
18 happened is they always bought more than they
19 needed, so now in this bankruptcy, Crescent
20 Resources claims to be the largest real estate
21 developer in the Southeast and has 300,000 acres of
22 surplus property that they received from Duke Power
23 Company. And that is the main value to Crescent
24 Resources, and I just want to make sure that -- or,
25 I would like somebody to investigate and find out

1 if South Carolina ratepayers received value for the
2 things they've done for Duke Power in allowing them
3 to accumulate this, what I call a surplus.

4 I don't have an ax to grind, except being in
5 the real estate business in that area, it's hard to
6 compete with Crescent as a developer, because they
7 have the land and the wherewithal to develop it,
8 and we have to buy from individuals, owners, who do
9 not have the prime property as Crescent has had in
10 the past.

11 But that's it. I would just like for the
12 Commission to investigate, if they can -- I don't
13 know if you can. I may be at the wrong place.
14 I've thought about this for years. This is the
15 first time I -- and if I hadn't gotten a phone call
16 -- I don't know how you do it, but somebody from
17 the Commission called me on my phone and said --
18 automatic -- and said you were having this meeting,
19 and that's the reason I'm here.

20 But I thank you for giving me an opportunity
21 to speak.

22 **VICE CHAIRMAN HOWARD:** Thank you, Mr.
23 McClellion. Does ORS have any questions of Mr.
24 McClellion?

25 **MS. REIBOLD:** No questions.

1 **VICE CHAIRMAN HOWARD:** Duke Energy, any
2 questions of Mr. McClellion?

3 **MS. HEIGEL:** No questions.

4 **VICE CHAIRMAN HOWARD:** Commissioners, any
5 questions?

6 [No response]

7 **VICE CHAIRMAN HOWARD:** Thank you, very much,
8 Mr. McClellion.

9 **WITNESS:** Thank you.

10 [Applause]

11 [WHEREUPON, the witness was excused.]

12 **MR. DONG:** William Shaw.

13 [Witness sworn/affirmed]

14 THEREUPON came,

15 **W I L L I A M S H A W ,**

16 who, having been first duly sworn/affirmed, testified as
17 follows:

18 **WITNESS:** William Shaw, 243 Horseshoe Lake
19 Drive, Spartanburg, South Carolina 29306. Here's
20 an individual and a Duke customer to -- against the
21 rate increase, until we see Duke become more
22 efficient, starting from the CEO and the Board of
23 Directors. I would like to see them cutting back
24 and being more efficient. We've heard some
25 wonderful programs tonight that they sponsor, and

1 maybe they should cut back on some programs,
2 because it's wonderful to have programs that create
3 small business but if the rate increase will affect
4 them, that's sort of a downhill business. So let's
5 get our industry up and running, and particularly,
6 small business will bring us back on board with
7 growth, and then we can talk about the rate
8 increase.

9 I think cap-and-trade -- I used to be a
10 lobbyist in Washington, and I've heard this issue
11 debated from one end to the other. And I know the
12 scientists are mixed on it. I personally think
13 that not everything is hooey, but there's a lot of
14 it in there. And I think Duke, looking at the
15 coal-fired approach, as opposed to nuclear, wind
16 power, solar power -- they should look, I think,
17 away from coal and toward others. Otherwise, all
18 we're going to be facing as customers is just
19 additional increases as we go through the years.
20 It won't impact me as much, but when we start
21 looking at children and grandchildren.

22 I don't say they don't ever need a rate
23 increase, but I think they should start from the
24 base of getting their house in order and showing
25 the public, us in South Carolina, in particular,

1 that, "Look, we've done our part. We're running as
2 efficiently as we can," and then come to you folks
3 and say, "We need a rate increase." And then I
4 don't think anybody would be complaining.

5 I worked with a lot of people in retirement,
6 and I see that we're all on fixed incomes. Some
7 are in dire conditions and a rate increase is --
8 it's going to be a matter of do you pay the light
9 bill or do you put food on the table? Do you put
10 heat in the house, or not? And that's a bad
11 situation.

12 So I just urge the Commission to take -- as
13 I'm sure you will -- a hard look at this. And I
14 think we've already seen that North Carolina has
15 not given them the increase they had asked for. So
16 I appreciate the opportunity to speak before you
17 and voice my opinion. Thank you.

18 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Shaw.
19 ORS, any questions of Mr. Shaw?

20 **MS. REIBOLD:** No questions.

21 **VICE CHAIRMAN HOWARD:** Duke Energy, any
22 questions of Mr. Shaw?

23 **MS. HEIGEL:** No questions.

24 **VICE CHAIRMAN HOWARD:** Commissioners, any
25 questions of Mr. Shaw?

1 [No response]

2 **VICE CHAIRMAN HOWARD:** Mr. Shaw, you may be
3 excused. Thank you again for coming.

4 [WHEREUPON, the witness was excused.]

5 **VICE CHAIRMAN HOWARD:** That is all that have
6 signed up to speak. If there's anyone in the
7 audience who hasn't signed up, who would like to
8 speak, we'd be glad to have you come forward now
9 and have you speak.

10 [Witness sworn/affirmed]

11 THEREUPON came,

12 **B I L L J A C K S O N ,**

13 who, having been first duly sworn/affirmed, testified as
14 follows:

15 **WITNESS:** My name is Bill Jackson. I'm
16 indirectly a customer of Duke. I'm from Pickens
17 County, which buys their electricity from Duke for
18 the co-op. And I can't see another increase at
19 this time. Our own co-op just had an increase, and
20 if y'all increase their rates, they're going to
21 pass it on to us, which will be another increase.
22 So I'd just like to go on record as being against
23 the rate increase. Like most people have said, I
24 can't see it at this time, and I can't believe my
25 ears when I'm hearing Duke Energy, an American

1 company, is backing this cap-and-trade which is
2 going to socialize our nation and destroy it as we
3 know it. Thank you.

4 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Jackson.
5 Does ORS have any questions of Mr. Jackson?

6 **MS. REIBOLD:** No questions.

7 **VICE CHAIRMAN HOWARD:** Duke Energy, any
8 questions for Mr. Jackson?

9 **MS. HEIGEL:** No questions.

10 **VICE CHAIRMAN HOWARD:** Commissioners.

11 [No response]

12 **VICE CHAIRMAN HOWARD:** Mr. Jackson, thank you
13 for coming. You may be excused.

14 [Applause]

15 [WHEREUPON, the witness was excused.]

16 [Witness sworn/affirmed]

17 THEREUPON came,

18 **D A V I D T H O M P S O N ,**

19 who, having been first duly sworn/affirmed, testified as
20 follows:

21 **WITNESS:** My name is David Thompson. I'm
22 Bill's neighbor. My power company buys power from
23 these guys.

24 It seems to be a popular thing to say these
25 days, but I'm a Vietnam vet. '63 to '67, honorably

1 discharged.

2 [Applause]

3 **WITNESS:** And I'd like to tell a little story.
4 As the culture changes, the product, the shape of
5 the culture changes.

6 And the simple statement I would like to make
7 is, if you took a six-month-old baby from America
8 and shipped it over to Borneo to a headhunter
9 tribe, and took one of those headhunter babies back
10 with me and raised it as an American, and then 18
11 years later turned it around and exchanged them --
12 I would get my son back, or whatever -- he'd come
13 to dinner looking for brain on his plate, and that
14 Borneo child would go back to his grass hut looking
15 for his Sony video game, a hotdog, and tell
16 everybody how bored he was.

17 As the culture changes, the shape changes.
18 When I joined the Service, I was mom, apple pie,
19 and American flag. When I got done with Vietnam in
20 '63 to '67, I come back here and was spit on and
21 called a baby killer. I was an electronics
22 technician in charge of radar, radio, ship-to-shore
23 communications. I was in the Navy. I was in
24 charge of shoreside communications.

25 And I don't recognize my culture today. And

1 one of our presidents ran away to Canada -- I don't
2 want to name names. I wish I had done the same.
3 Thank you.

4 **VICE CHAIRMAN HOWARD:** Mr. Thompson, just a
5 minute. ORS?

6 **MS. REIBOLD:** No questions.

7 **VICE CHAIRMAN HOWARD:** Duke Energy?

8 **MS. HEIGEL:** No questions.

9 **VICE CHAIRMAN HOWARD:** Commissioners.

10 [No response]

11 **VICE CHAIRMAN HOWARD:** Mr. Thompson, you may
12 be excused.

13 [WHEREUPON, the witness was excused.]

14 **VICE CHAIRMAN HOWARD:** Anyone else wish to
15 speak. If you already spoke one time, now, Mr. --
16 have you spoken?

17 **VOICE:** I didn't speak.

18 **VICE CHAIRMAN HOWARD:** Okay, you can come
19 forward. Mr. Brown --

20 **MR. BROWN:** Thank you. Thank you.

21 **VICE CHAIRMAN HOWARD:** Haven't you already
22 spoken before?

23 **MR. BROWN:** Right.

24 **VICE CHAIRMAN HOWARD:** You can't go but one
25 time. Thank you, though.

1 **MR. BROWN:** Shame on me. I just was going to
2 make a statement.

3 **VICE CHAIRMAN HOWARD:** You only get one shot
4 at the apple.

5 **MR. BROWN:** Okay, be that way. I'm going to
6 go home after while. Sorry about that.

7 [Witness sworn/affirmed]

8 THEREUPON came,

9 **B R E N T M A R T I N ,**
10 who, having been first duly sworn/affirmed, testified as
11 follows:

12 **WITNESS:** My name is Brent Martin. I
13 currently live in Moore, South Carolina.

14 I have been out of work since April of 2008.
15 I have not worked since then. I am currently --
16 well, I finished a course over at Spartanburg
17 Community College. The course I'm majoring in is
18 CNA. And I'm supposed to get my license for CNA
19 next month. Now, I cannot believe -- when I look
20 around Spartanburg County and watch the news and
21 see all these people that are out of work like
22 myself, I cannot believe that somebody would say,
23 "You're going to get a rate increase." Even if it
24 was only 1 percent, that's too many. That is way
25 too many.

1 It saddens and it hurts me, the fact that I
2 see these CEOs -- I'm not speaking for everybody,
3 but the average -- sitting up here at the top,
4 walking around [indicating] like this, acting like
5 they're better than everybody else, and the fact
6 that people like me and the majority of these
7 people in here are struggling, and the fact that
8 they say, "We're going to increase your rates."
9 That is unacceptable, guys. Unacceptable. I can't
10 believe that y'all would consider something like
11 this.

12 Now, I have been a customer of Duke power for
13 so long, and we had this ice storm back in 2005.
14 We were without power for three days. I had just
15 sold my house and was staying with my parents then.
16 It took us three days for the power to cut back on.
17 From what I was told, I saw, or I heard -- no, I
18 saw it, too, because I saw it on TV at a friend's
19 house -- these people from Duke power who were
20 doing nothing. They were standing out there. I
21 don't know what they were doing that they were
22 standing out there, doing nothing, not working on
23 the power. And then you expect to give us a rate
24 increase to help improve the power, when I feel
25 like it's going to be the same-old same-old, even

1 with the rate increase.

2 So I am opposed to a rate increase, big time.

3 There are people out here that are struggling to

4 make ends meet. I'm one of them.

5 And why in the world Duke Power would even

6 consider cap-and-trade is beyond me. It bothers me

7 when I hear all these companies -- AIG, General

8 Motors -- the way that they get bailed out by --

9 **VOICE:** Bought off.

10 **WITNESS:** -- the government -- beg your
11 pardon?

12 **VOICE:** Bought off, not bailed out.

13 **WITNESS:** Yeah, that. Yeah, you're right.

14 And the fact that instead of putting the money

15 where it's supposed to go, they put it in their

16 pocket. The money gets gone. That's what I'm

17 afraid is going to happen if the rates for Duke

18 Power goes up. The CEOs are going to benefit, but

19 nobody else is.

20 **VOICE:** Everything will be transparent.

21 **VICE CHAIRMAN HOWARD:** Let Mr. Martin speak.

22 **WITNESS:** So I speak on behalf of everybody.

23 Please don't raise our rates. Please. That's all

24 I got to say.

25 **VICE CHAIRMAN HOWARD:** Thank you, Mr. Martin.

1 ORS, any questions of Mr. Martin?

2 **MS. REIBOLD:** No questions.

3 **VICE CHAIRMAN HOWARD:** Duke Energy, any
4 questions for Mr. Martin?

5 **MS. HEIGEL:** No questions.

6 **VICE CHAIRMAN HOWARD:** Commissioners, any
7 questions?

8 [No response]

9 **VICE CHAIRMAN HOWARD:** Mr. Martin, you may be
10 excused.

11 **WITNESS:** Thank you.

12 [WHEREUPON, the witness was excused.]

13 **VICE CHAIRMAN HOWARD:** Anyone else wish to
14 speak? Yes, ma'am, come forward.

15 [Witness sworn/affirmed]

16 THEREUPON came,

17 **P A M E L A F I S H E R ,**

18 who, having been first duly sworn/affirmed, testified as
19 follows:

20 **WITNESS:** My name is Pamela Fisher. I live at
21 1703 Highway 357, Lyman, South Carolina 29365.

22 I've been listening to two days, just like you
23 all, of testimony of why we should not increase our
24 rate on our Duke Power bills. I don't think you
25 should raise the rate on people today. I have been

1 reading the Constitution because of cap-and-trade.
2 I mean, I didn't think I -- I read it before, but
3 not like I'm reading it today. And nowhere do I
4 see in the Constitution that it is even legal to
5 try to put taxes on us, like caps and trade.

6 **VOICE:** Amen.

7 **VOICE:** Yeah.

8 **WITNESS:** It's not even in the Constitu- --
9 I'm digging through here, trying to see it, and I
10 can't find it. Today I went to 28 families who
11 have lost their jobs and are hurting. I got chased
12 by a pit-bull, trying to feed people that were out
13 of jobs. I, fortunately, have a job, and -- I love
14 that book right there [indicating] more than
15 anything in this world. And this [indicating] is
16 the second one I love. And then the third I love
17 is people.

18 And I do not understand why people want to
19 hurt other people, and raise taxes when they are --
20 or, rates, when everything is just the way it is
21 right now. And I shake. I just don't understand.
22 I would rather be poor than to know that I'm
23 putting money in my pocket, knowing that people are
24 hurting. I don't understand it. I never will.
25 And I guess because I am a Christian, and I'm proud

1 of it, and I believe in that Bible and I love the
2 man who is up there who's going to take me home one
3 day, and he's going to hopefully say that I did a
4 job well done, but I don't know. Because I'm a
5 human being, too. So please, please do not raise
6 the rate. Love people enough not to be selfish.
7 Thank you.

8 **VICE CHAIRMAN HOWARD:** Thank you, Ms. Fisher.

9 [Applause]

10 **VICE CHAIRMAN HOWARD:** ORS, do you have any
11 questions?

12 **MS. REIBOLD:** No questions.

13 **VICE CHAIRMAN HOWARD:** Duke Energy?

14 **MS. HEIGEL:** No questions.

15 **VICE CHAIRMAN HOWARD:** Commissioners.

16 [No response]

17 **VICE CHAIRMAN HOWARD:** Ms. Fisher, thank you
18 for coming.

19 [Applause]

20 [WHEREUPON, the witness was excused.]

21 **VICE CHAIRMAN HOWARD:** Would anyone else like
22 to speak?

23 [No response]

24 **VICE CHAIRMAN HOWARD:** Seeing no one, I again
25 want to thank all y'all for coming. We appreciate

1 the participation, appreciate your concern. The
2 meeting is adjourned, and I'll remind you of the
3 merits hearing Monday, in Columbia, at 10:30.


4 Thank you, very much.

5 [WHEREUPON, at 8:40 p.m., the hearing in
6 the above-entitled matter was adjourned.]

C E R T I F I C A T E

I, Jo Elizabeth M. Wheat, CVR-CM-GNSC, do hereby certify that the foregoing is, to the best of my skill and ability, a true and correct transcript of all the proceedings had and testimony adduced in a public hearing held in the above-captioned matter before the Public Service Commission of South Carolina at Spartanburg, South Carolina.

Given under my hand, this the 7th day of December, 2009.


Jo Elizabeth M. Wheat, CVR-CM-GNSC

ATTEST:



Charles L. A. Terreni
CHIEF CLERK/ADMINISTRATOR